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# THE ANNEXATION OF TEXAS

BY

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THE

ANNALS OF TEXAS

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TO THE MEMORY OF

DR. GEORGE PIERCE GARRISON

AND TO

ALL THOSE OTHER SCHOLARS WHOSE INVESTIGATIONS HAVE  
THROWN LIGHT UPON THE HISTORY OF TEXAS

THIS VOLUME IS WITH GREAT RESPECT

INSCRIBED



## PREFACE.

The annexation of Texas, it can justly be said, was a very interesting, important, complicated and critical affair. It involved issues and consequences of no little moment in our domestic politics. It gave us an area greater than England and France together, with a port that ranks very near the head of our list, and paved the way for the acquisition of San Francisco and our far Southwest. It led to our greatest and most brilliant foreign war. It extinguished a nation that might have become a strong and unfriendly rival and might have caused the disruption of the Union. It removed an excellent opportunity for certain leading European powers to interpose in the affairs of this continent and in particular to embarrass the development of the United States. It presented a field of battle on which our diplomats and those of England, France, Mexico and Texas waged a long and intricate struggle with all their skill and with a full determination to succeed; and it brought these five nations to the verge of war. Such an episode would appear to merit a detailed study, especially since very different opinions regarding it still prevail; and as the author, while gathering data for a history of our Mexican War, found many essential materials for a thorough treatment of the subject, he has felt under obligation to complete and present them.

As the footnotes indicate, the monograph is based almost exclusively (with the exception of certain preliminary matters) on first-hand sources, though all previous works of any importance on the subject have been fully examined. Use has been made of substantially all the diplomatic papers—American, British, French, Mexican and Texan—bearing upon the question, and also, as may be seen by the account of the Sources in the Appendix, a rather large amount of other valuable material both manuscript and printed, such as executive and legislative documents, letters, speeches, diaries and periodicals. All discoverable sources of information, indeed, have been examined. In this way a closer approach to completeness has been attainable, and at the same time it has been possible to avoid errors into which a writer depending upon a portion of the data would not infrequently fall without even suspecting danger.

Secondly, by making a painstaking study of public opinion in the countries chiefly concerned it has been feasible to ascertain the causes which controlled or influenced official action in certain important cases. Thirdly, attention has been paid to a number of subsidiary topics which throw a strong light upon the subject. Such are the British designs with reference to slavery in Texas and the United States, the political condition of northern Mexico at this period, the possibilities before Texas as an independent nation, the danger to the United States involved in her permanent nationality, the scheme of a new confederacy, the status and influence of the annexation issue in the politics of this country, and several others. Fourthly, the desire has been to avoid leaving the matter, as it is easy to do when using first-hand sources, in such a condition that the reader could not see the forest for the trees. And finally a strong and long-continued effort has been made to secure not only completeness but accuracy. Of course perfection has not been reached, however, and it is hoped that all mistakes may be pointed out. The truth of history is surely more important than a writer's dream of an impossible inerrancy, and serious criticism, based upon knowledge, is co-operation of a most useful kind.

Those who were pleased to commend the style of the author's latest work, *Our Struggle for the Fourteenth Colony*, may feel surprised that the present volume is so different. It seems to him clear, however, that one's manner of writing should depend on one's subject and object. In the former case his dominant theme was the early, impulsive stage of a popular revolution in the name of Liberty, and his principal business was to recount the out-door proceedings—often peculiarly dramatic and exciting—of ardent and frequently somewhat crude young men; whereas at present his concern is with diplomats and statesmen pursuing with dignity and deliberation their profoundly studied lines of policy. The earlier book, in order to make the extraordinary facts entirely comprehensible to minds quite unfamiliar with such a state of things, endeavored to place its readers in the thick of events and impart in some degree a sense of the agitation and enthusiasm of the time, to which end a vivid and rather highly colored style, answering to the character of the persons and events presented, seemed appropriate and even necessary; but now one is occupied with complicated intellectual efforts of a high order, which are best viewed from an

elevation and a distance; and these require only to be made known as clearly, calmly and unobtrusively as possible.

The footnotes cover all the statements of the text except a few matters of common knowledge, but of course a fact once proved is not proved again. To some readers the number of references will seem unnecessarily great, and so they appear to the author himself. But as almost every foot of the ground is controversial, the percentage that could safely be omitted is rather small, and the saving would hardly justify the abandonment of a complete and logical system for one of the opposite character. In order not to fill the page with annoying figures, the references—standing in the order of the statements they support—are grouped by paragraphs, and an indication of the bearing of the reference is given when this is not obvious. Naturally in some cases a citation confirms more than a single sentence, and it should be remembered, too, that for reasons of convenience the first page of a document is the one specified unless there is a particular occasion for doing otherwise. To carry such a body of figures with perfect accuracy through the processes of compiling, revising, copying and printing is extremely difficult, especially as the author's attention is liable to be diverted momentarily from the mathematics to the meaning of the citation; but it can be said that unsparing pains have been taken to ensure correctness, and that a trained historical worker has gone over the entire work of verification independently.

While engaged on this investigation at the Public Record Office, London, the author was so fortunate as to have for neighbor Dr. Ephraim Douglass Adams, the fruit of whose researches, covering to a small extent the same ground as this volume, has recently been offered to the public. As it fell to the present writer in another place to view that monograph, *British Interests and Activities in Texas*, in the manner which it invited by describing itself as "purely technical," he will only say here—though it does not need to be said—that anything coming from such a source deserves very careful attention, and express the hope that all concerned with Texan history will read the book. One cannot help wishing that Professor Adams's investigations had extended to the Texan, Mexican and American archives. Mention must also be made of an interesting and valuable work by Dr. Jesse S. Reeves, entitled *American Diplomacy under Tyler and Polk*, based largely on documents which he as well as the present writer was permitted to examine at the State

Department, Washington. Neither of these volumes, it is proper to add, was read by the author of *The Annexation of Texas* until after the completion of his own manuscript. In this place, too, the important investigations conducted by a number of Texan scholars and made known to the public in various learned periodicals, notably the Quarterly of their State Historical Association, are entitled to a grateful and very respectful recognition.

Finally the author desires to acknowledge with the highest appreciation the indispensable assistance of President Roosevelt, President Díaz, Secretary of State Root, Minister of Foreign Relations Mariscal, Senator Lodge, and Ambassadors Reid at London, White at Paris and Clayton at Mexico; and to express a warm sense of obligation to his distinguished friends Dr. J. Franklin Jameson, Mr. Worthington C. Ford and Mr. Gaillard Hunt for aid in his search for documents. To the many others who have kindly co-operated in minor yet important ways, particularly by granting permission to examine the MSS. in their custody, his thanks are likewise very cordially tendered.

J. H. S.

BOSTON, July 26, 1911.

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# THE ANNEXATION OF TEXAS

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## I.

### THE BEGINNINGS OF THE ANNEXATION QUESTION

FIRST of all, in approaching our difficult subject, it will be useful to refresh the memory regarding certain main facts of Mexican history. The outbreak of the revolt against Spain took place in 1810; and in September, 1821, Iturbide, the brilliant leader of the revolutionary forces, entered the capital in triumph. Eight months later, after much political wrangling, he was proclaimed Emperor by some of his troops, and this usurpation was grudgingly, but of necessity, ratified by the Constituent Congress then in session. Before long, however, a military officer at Vera Cruz named Santa Anna, who had fallen out with Iturbide and understood how much hostility against the Emperor there was, revolted in favor of a republican system; and, as the insurrection proved successful, Iturbide soon resigned the throne and left the country. In October, 1824, a federal constitution, based in a considerable measure upon that of the United States, was proclaimed; and Victoria, elected President under this organic law, served his term without interruption.<sup>1</sup>

<sup>1</sup> *General Note.*—The text is based mainly on diplomatic correspondence, and when nothing to the contrary is indicated in the footnotes, it may be understood that a despatch *to* a minister or consul proceeded from the foreign affairs department of his government, and that a despatch *from* such an official was addressed to that department. Thus "To Butler, Sept. 28, 1833," means a despatch from the American department of State to Butler, and "Butler, Jan. 10, 1832," means a despatch from him to the department. Also, if nothing to the contrary is indicated, it may be assumed that the documents are to be found as follows: American despatches in the archives of the State department at Washington; British at the Public Record Office, London, in the Foreign Office volumes; Mexican in the archives of the Secretaría de Relaciones Exteriores, Mexico City; and Texan in two volumes entitled *Texan Diplomatic Correspondence* published by the American Historical Association. The French archives for the annexation period are not accessible; but all the essential documents have, it is believed, been discovered. Some were printed in French periodicals; some exist in the American or Mexican archives; and since England and France co-operated in the Texas affair, a much larger number are filed in the British records. As a rule the printed version of a document is cited, if it has been published in full and with substantial accuracy; and in these cases the reader is of course informed where to look for it. In a few cases, it will be seen, no numbers are attached to despatches, but any one who looks up the references given will easily find them.

In 1828 Pedraza was chosen in his place, but a revolution forced Congress to annul the election and give the office of chief magistrate to the popular soldier, Guerrero. During the summer of 1829 a Spanish expedition, designed to bring Mexico back to her allegiance, landed on the coast, but from a variety of causes, among which was incompetence and perhaps was treachery, finally surrendered; and Santa Anna, the Mexican leader, became a popular hero. In the following December Bustamante, though he occupied the second place in the government, organized a revolution; and Guerrero, after a brief struggle, took flight, was treacherously captured and was shot. Three years later an uprising engineered by Santa Anna overthrew Bustamante in turn, and the victor was soon afterwards elected President. Before long he nullified acts of Congress, forbade that body to assemble, changed State and city administrations at his will, and sanctioned a revolutionary *Plan* that pointed to him as the one

The American Secretaries of State principally concerned were Forsyth, Webster, Upshur, Calhoun and Buchanan. The American ministers most frequently mentioned were Everett at London, King and Martin (chargé) at Paris, Ellis, Thompson and Green (chargé) at Mexico, and in Texas the chargés La Branche, Eve, Murphy, Howard and Donelson. The British foreign minister chiefly concerned was Lord Aberdeen; and the principal British representatives abroad were Cowley at Paris, Fox and then Pakenham at Washington, Pakenham and then Bankhead (and Doyle, chargé) at Mexico, and Elliot and Kennedy (consul) in Texas. The leading Mexican Ministers of Foreign Relations during the period were Bocanegra, Rejón and Cuevas; and the principal representatives abroad, Almonte at Washington, Arrangoiz (consul) at New Orleans, Murphy at London and Garro at Paris. The Texan Secretaries of State requiring mention here were Jones, Ashbel Smith and Allen; and the chief representatives in foreign parts Reily, Van Zandt, Henderson and Raymond (chargé) at Washington, and Henderson, Ashbel Smith and Terrell in England and France. The French minister of foreign affairs was Guizot; and the most important foreign representatives in the field of this history were Sainte Aulaire at London, Pageot at Washington, Cyprey at Mexico, and Saligny in Texas. In the case of all officials not named above, the needed indications are given in the footnotes.

To avoid marring the text with innumerable figures, the references, standing in the order of the statements they support, are grouped by paragraphs, and when it has seemed necessary, a catch-word has been introduced to indicate the bearing of the citation. As a rule a document is cited only once, even though used more than once, in the notes of a paragraph, but if used in the next paragraph it is again cited.

The following abbreviations, besides a few that require no explanation, have been used in the footnotes: Adv., *Advertiser*; arch., *archives*; Bank., *Bankhead*; Buch., *Buchanan*; Bull., *Bulletin*; Com., *Commercial*; conf., *confidential*; con., *consular*; Const., *Constitutionnel*; corr., *correspondence*; Crit., *Crittenden*; Débats, *Journal des Débats*; desp., *despatch*; Diario, *Diario del Gobierno Mexicano*; dipl., *diplomatic*; Don., *Donelson*; Enq., *Enquirer*; F. O., *Foreign Office* (British); Hend., *Henderson*; Intell., *Intelligencer*; Journ., *Journal*; leg., *legation*; Lib., *Liberator*; Madis., *Madisonian*; Memor., *Memoranda*; min., *minister*; Nat., *National*; Niles, *Niles' Register*; Pap., *Papers*; Penn., *Pennsylvanian*; Pub. Rec. Off., *Public Record Office*; Relac., *Relaciones*; Remin., *Reminiscences*; Repub., *Republican*; res., *reservada*; Spect., *Spectator*; Sria., *Secretaria*; Van B., *Van Buren*; Van Z., *Van Zandt*.

In the List of Sources will be found full titles, dates of editions, etc., of the publications cited.

source of authority. In effect he thus became dictator; and a new Congress, elected under these auspices, was ready of course to accept his acts. A centralized form of government was now adopted in place of the federal system, and in October, 1835, the State legislatures were replaced with Departmental councils.<sup>2</sup>

April 28, 1836, Spain acknowledged the independence of Mexico. The following year, Santa Anna having been defeated and captured by the Texans, Bustamante came again to the head of affairs; but at one time a revolt at the capital—finally quelled—succeeded in taking possession of the palace and making him a prisoner. The French war of 1838 cost Santa Anna a leg but made him once more the idol of the nation; and in 1841 a fresh revolution gave him a virtual dictatorship. It was proposed, however, to draw up a legal constitution later, and the following year a Congress met for this purpose; but it was forcibly dissolved. Early in 1844 Santa Anna exchanged his dictatorship for a constitutional presidency, but in December, having exhausted the patience of the nation, he was overthrown by a truly popular outbreak and Herrera succeeded him. A closer examination of the history would show many instances in which, no less truly than by force of arms, the constitution and the laws were nullified in high official action; but this bare catalogue of essential facts is enough to prove that in reality that interesting but "unfortunate" country, as its public men of all shades concurred for many years in styling it, possessed at this time neither law nor constitution, and that its government was conducted in a manner to which no American could possibly have felt reconciled.

Next in order comes naturally a recapitulation of the principal incidents of early Texan history. This brings us at once to the cauldron of anti-slavery agitation; and, in order to understand the subject, we must endeavor to realize the two points of view in that controversy. In both cases this is done with difficulty. On the one side it shocks us to find men of intellect and station laboring deliberately in the cause of human slavery, and many of us can hardly view anything done by them without a sense of distrust. We are ourselves, however, in somewhat the same situation as were they. Our competitive social system admittedly inflicts much suffering and many wrongs, while it rewards with honors and wealth not a few who rank low if judged by the moral and intellectual standards we

<sup>2</sup> So much of the early part of this chapter concerns matters of common knowledge that few references are needed. (Overthrow of the constitution, etc.) Bancroft, *Pac. States*, xi., 143; Yoakum, *Texas*, i., 366; *México á través*, iv., 340-345.

profess to believe in. With more or less justice pictures of life about us rivalling in blackness any from *Uncle Tom's Cabin* can be drawn, and the victims are often of a far more sensitive quality than were the slaves. Yet we do nothing about the matter, disclaiming responsibility for a régime thrust upon us, and honestly believing that its destruction would do vastly more harm than good. Just so the slaveholder defended himself; and in addition he pointed to the recognition of his system, not only by thinkers like Plato, but by the New Testament and the American constitution, his loftiest standards of moral and political wisdom. Doubtless we can detect the fallacies in his argument, but there are persons who offer to do as much for ours; and this thought may reasonably help us to view with some charity the Southern practices of a former day.

On the other side, we are staggered to find men of pure character and noble aims asserting mere suspicions as positive facts, trampling rough-shod on the dearest sentiments and interests of fellow-countrymen, exerting their utmost efforts to discredit their lawful rulers, and in some cases espousing the side of any nation that seemed ready to attack their own. But here again harsh criticism would of course be an error. These individuals, looking at things with the singleness of vision common among reformers, viewed slavery with such horror that upholders of it appeared to them capable of almost any crime. As many inner facts of our politics and diplomacy could not at the time be fully revealed, they were very much in the dark. It therefore seemed entirely justifiable to place the worst construction upon all mysterious doings of the other party, and quite proper to secure the aid of their sleepy neighbors by shouting "Fire!" at the first sign of a spark. In particular, they believed that the annexation of Texas meant the infernal consecration of the United States to a blood-stained and ruinous career of aggression in the interest of slavery. Dr. William E. Channing, a noted clergyman of Boston, said, "Our Eagle will whet, not gorge, his appetite on his first victim, and will snuff a more tempting quarry, more alluring food, in every new region which opens southward"; John Quincy Adams wrote in his diary: "The annexation of Texas to this Union is the first step to the conquest of all Mexico, of the West Indies, of a maritime, colonizing, slave-tainted monarchy, and of extinguished freedom"; and one can hardly be surprised that in such a mood patriots and philanthropists could not wait for the slow investigation and careful balancing of facts, even

so far as the evidence was at that time accessible. For us, however, the institution of slavery is neither an interest to be defended nor an outrage to be denounced, but merely a bygone state of things, through which—as through many another unfortunate condition of society—the evolution of the human race has carried it; and we can therefore devote ourselves to an investigation of our subject with no prejudice except in favor of historic truth.<sup>3</sup>

Near the close of the seventeenth century, a Canadian seigneur named La Salle planted a colony on the Texas coast near the mouth of the Colorado river; and this achievement gave France a claim to a broad but vaguely defined region in that quarter, included under the name Louisiana. The United States asserted for many years that the title extended to the next large stream, the Rio Grande, and there are indications that France held the same view. Here, however, it need only be said that in such cases the right from discovery has a wide yet not unlimited reach, and that the claims of the United States are now generally regarded as too broad. In 1763 Louisiana was transferred to Spain, in 1801 was retroceded, and finally in 1803 was purchased by the United States. Article III. of the treaty by which we secured it read as follows: "The inhabitants of the ceded territory shall be incorporated in the Union of the United States and admitted as soon as possible according to the principles of the Federal Constitution to the enjoyment of all the rights, advantages and immunities of citizens of the United States. . . ." Texas, however, had been and continued to be under Spanish jurisdiction; and it shared to some extent in the Mexican revolution.<sup>4</sup>

In 1819 the United States surrendered, as part of the consideration for Florida, whatever territory we possessed beyond the Sabine, the language of the treaty being as follows: "The United States hereby cede to His Catholic Majesty, and renounce forever, all their rights, claims, and pretensions to the Territories lying West and South of the above described Line; and, in like manner, His Catholic Majesty cedes to the said United States all his rights, claims, and pretensions, to any Territories, East and North of the said Line,

<sup>3</sup> (Channing) Jay, *Mexican War*, 106. Adams, *Memoirs*, xii., 49. It is rather curious to note that the denunciations of the annexation project uttered by eloquent men like Channing and Adams continue to exert their influence, both directly and by reflection in the works of other writers, although time has shown how far astray were the apprehensions upon which they were based.

<sup>4</sup> (La Salle) Garrison, *Texas*, 21. (Claim based upon La Salle's expedition) Winsor, *America*, vii., 551. *Treaties in Force*, 176. Bancroft, *Pac. States*, xi., 4, 17.

and for himself, his heirs, and successors, renounces all claim to the said Territories forever."<sup>5</sup>

Now there appears at once to be something wrong here. This language implies that the United States had extended west of the Sabine, and if they had, the territory owned there was a part of Louisiana; so that, as we had promised to admit to the Union all the inhabitants of Louisiana, we had no right to make the cession of 1819. In reply, it has been argued that in reality no cession took place; that such phraseology was employed to make it look as if Spain were getting something in that quarter and so reconcile her to the surrender of Florida. But in fact she seems to have admitted that we had a valid claim to territory beyond the Sabine, so that a real surrender of ownership would appear to have taken place on the part of the United States.<sup>6</sup>

At any rate, these two treaties gave rise later to certain views which were so interwoven with the issue of annexation that it is well to explain them on the threshold. The wording of 1819 seemed to many a proof, confirmed by the arguments put forth on our part in the preceding discussions with Spain, that Texas had formerly belonged to the United States; and the point that at most Spain conceded our claim to but a part of the region covered by that name was easily overlooked. Hence arose the term "re-annexation," which became very popular with the advocates of the measure, because it seemed to imply that were Texas acquired, we should only be recovering our own, and also because it appeared to ease the constitutional difficulty of introducing a foreign state into the Union. The additional fact that Spain was probably willing in 1819 to let us have certain territory beyond the Sabine made men feel that the United States had somehow been defrauded; and the evidence, including a letter from President Monroe himself, that so great a sacrifice was deliberately made to please New England, naturally intensified this feeling in the Southwest. Further it was often argued that since the United States were bound to admit the people of Louisiana to the Union, the cession of 1819 was void, and Texas (all of it, so men assumed) continued to be ours. If this was the correct view, the revolution of 1836 was an insurrection against the United States, which our government could not possibly

<sup>5</sup> Treaties in Force, 594.

<sup>6</sup> Onís, the Spanish representative, claimed credit for having obtained a more valuable territory in exchange for Florida: Woodbury, Works, i., 362; Onís, Memoria, 1820. (See also *Forum*, July, 1901, p. 537.)

recognize; but no one observed this. Moreover, if the treaty was invalid, Florida still belonged to Spain; but nobody thought of returning Florida, and in fact that could not be done. Technically, then, a wrong had perhaps been inflicted upon a very small number of persons residing in northeastern Texas; but far more harm would have been caused by upsetting the treaty of 1819, and the only practicable course was to abide by that agreement. The United States, therefore, could no longer assert the slightest claim to any territory beyond the Sabine.<sup>7</sup>

To complicate matters, however, certain Americans who had crept into Texas and remained there unmolested, rebelled soon after this treaty was made, because—as they alleged—their expectation of being incorporated in the United States had been frustrated by the agreement with Spain, and the only resource left them was to become independent. It is by no means clear that such newcomers could fairly appeal to the promise of 1803, but it was easy and perhaps natural to describe their action as a protest on the part of Texas against the cession to Spain; and thus was reinforced considerably the feeling that the territory still belonged of right to the United States. Another view also grew out of these facts. It was held by some that, as the United States did not admit Texas to the Union yet possessed no power to surrender it, the region became *de facto* independent, simply because no nation could maintain a claim to it. In reality this and all the other theories are to be brushed aside. Texas belonged to Spain; it recognized the Spanish government; and the application of Moses Austin for permission to plant a colony there was made to and granted by the Spanish authorities. Yet it is useful to see how easily many honest and fairly intelligent men could lose themselves, especially when influenced by feeling, in these convenient and somewhat plausible ideas.<sup>8</sup>

As Mexico succeeded to the authority of Spain, Texas became inevitably Mexican, and this connection was further proved by her sharing in the rebellion against the mother country and by her sending a representative to the Constituent Congress of 1824. When the federal constitution was adopted, not having enough population to stand by herself, she was made a part of the compound State Coahuila-Texas (*Coahuila y Tejas*), with a distinct intimation that later she was to be given a constitution of her own. Now all the

<sup>7</sup> Monroe to Jefferson, May, 1820: Wash. *Globe*, Feb. 17, 1845 (see also *Madis.*, April 15, 1844).

<sup>8</sup> Bancroft, *Pac. States*, xi., 47, 48, 60.

States of the confederation, Coahuila-Texas like the rest, were termed sovereign and independent; and hence it came to be urged sometimes in discussing annexation that Texas, even under Mexican rule, was really independent. This view, however, arose from a misconception. During the rule of Spain these States—such of them as had at that time a distinct existence and a name—were merely provinces, with no pretensions to mutual independence. Their position was, therefore, very different from that of the British-American colonies. But when the federal constitution was drawn up, it became necessary to assume that there were separate political entities to combine, for otherwise a confederation was impossible, and hence they were called forth into a theoretical existence. In reality the States, despite their high-sounding titles, were still neither sovereign nor independent. Some of them, notably Yucatan, undertook to apply the theory under the form of secession; but such a step was the signal for war. In a word, then, Texas, while she remained a part of Mexico, had no real title to sovereignty; and this was the more true because she was not an actual but only a prospective State.<sup>9</sup>

In 1825 President Adams and Henry Clay, then Secretary of State, undertook to acquire the whole or a large part of Texas by negotiation with Mexico, and the desire of our government to obtain the territory was enough to cause alarm. Moreover Ward, the British representative at Mexico, now began to warn the authorities against the danger of permitting Americans to settle beyond the Sabine; and Tornel, one of the most active and ingenious of the Mexican public men and peculiarly unfriendly toward the United States, who was now a Deputy in Congress and private secretary of the President, may safely be presumed to have supported that view. The following year a small rebellion of American settlers took place in Texas, as a result of the arbitrary and illegal action of the authorities, and this was distinctly ominous. Orders were therefore issued in 1827 and 1828 for the purpose of preventing or hindering

<sup>9</sup> Yoakum, Texas, i., 301, note. (Const. Cong.) Sedgwick, Thoughts, 5, note. (Intimation) Bancroft, Pac. States, xi., 131. (Urged) Richardson, Messages, iv., 479; Woodbury, Works, i., 363. The character of local popular sovereignty in Mexico is illustrated by the constitution of Coahuila-Texas, which after declaring that the political sovereignty resided in the people added: "but they shall not of themselves exercise any other acts of sovereignty than those indicated in this constitution, and in the form which it prescribes" (Bancroft, Pac. States, xi., 85). See Mayer, War between Mexico and the U. S., 27.



the immigration of our citizens, but the execution of them was not at all efficient.<sup>10</sup>

Up to the year 1829 negro slavery existed in Mexico. It was not prevalent, however, for a more profitable system occupied the ground. The Indians were kept in a state of virtual serfdom known as peonage, which was about as convenient and did not require the master to care for his laborers in sickness and old age. In Texas, on the other hand, this resource was not available. Consequently, since proprietors could not develop large estates without assistance and the free helpers were naturally few, the country could have been improved but very tardily without slaves. Besides, most of the settlers came from the southern States, and were accustomed to no other kind of labor. For these reasons slavery was carried into Texas. President Guerrero, emphatically a scion of the common people, appears to have thought that a decree of emancipation would be an easy device to please the masses, win glory abroad, gratify his own liberal instincts, and prevent or greatly discourage the immigration of Americans into Texas. As he felt somewhat compromised by his intimacy with the American minister, Tornel probably urged that he could silence in this way the tongue of calumny, and possibly still other considerations pointed in the same direction. In 1829, therefore, in accordance with a policy initiated five years before, the abolition of slavery was proclaimed. North of the Rio Grande, however, this measure excited strong opposition. Stephen F. Austin, the political chief of the Department and the Governor of the State, all protested; and after a time the Texans were exempted from the effects of the edict.<sup>11</sup>

In 1829 Jackson and his Secretary of State, Van Buren, undertook to purchase Texas, and the effort was continued for several years with great secrecy. Very naturally this renewed attempt to obtain the territory excited fresh apprehensions; and early in 1830 Alamán, the Mexican Minister of Foreign Relations, took hold of the situation somewhat vigorously. In consequence of his initiative, a decree was enacted in April forbidding entrance from the north without a Mexican passport, forbidding the introduction of slaves, and prac-

<sup>10</sup> Bancroft, *Pac. States*, xi., 88. Ward to F. O., Sept. 22, 1825: F. O., Mexico, xiv. (Tornel) Pak., No. 6, May 7, 1827. (Rebellion, orders) Bancroft, *Pac. States*, xi., 103-110, 113. See also Tornel, *Reseña*, 85.

<sup>11</sup> Bancroft, *Pac. States*, xi., 90-92. Poinsett's reports, *passim*: State Dept. Garrison, Texas, 158, 172, 173. Niles, xxxviii., 291. Frédéric Leclerc (*Revue des Deux Mondes*, April 15, 1840, p. 220) said that Guerrero's decree "certainly broke one of the conditions" which had drawn the Americans to Texas.

tically forbidding—so far as valid outstanding contracts permitted—all American colonization in Texas. It was also resolved to send up convicts with a view to their becoming residents at the end of their term; and still other measures were decided upon in the hope of confirming the grip of Mexico upon that region. General Terán was despatched with troops to enforce the law; military posts were established; and garrisons, chiefly composed of felons, occupied them. Some recently arrived immigrants were expelled; some intending settlers were stopped at the border; and only three colonies were permitted from that time on to receive Americans.<sup>12</sup>

The term of years during which various articles needed by the colonists could be imported free of duty had just expired, and the customs were now collected in a tyrannical manner. Indeed Terán interfered arbitrarily in civil affairs, and the soldiery perpetrated many outrages. To render the situation even worse the State, in which Texas formed only one of several Departments, was entirely governed by the Mexican element. In various ways Texan interests, being very different from those of Coahuila, were sacrificed to gratify the majority; and in 1832 the legislature passed a law embodying the harsh spirit of the national decree of 1830. On all these grounds the settlers felt discontented, and at times they expressed their dissatisfaction in ways that were violent and illegal. This was undoubtedly wrong; but in a country where the supreme law was the law of strength, it would have been astonishing indeed had the bold, enterprising Americans been always tame and punctilious. The greater fault was undoubtedly that of Mexico, which had suddenly changed a policy of neglect into one of outrage and oppression.<sup>13</sup>

Santa Anna, probably in order to keep the Texans quiet while he was establishing his autocratic power, showed a conciliatory spirit, however; and some influential Mexicans favored the adoption of a liberal policy towards the settlers, because—as the British minister reported—they owned large grants which they desired an opportunity to sell at a good price. In 1833 the prohibition against

<sup>12</sup> According to J. Q. Adams (Memoirs, ix., 377), Forsyth told him that no proposition to purchase Texas was ever made by the U. S.; but the Mexican government must have known what we had in view. Butler to Jackson, July 28, 1843: Jackson Pap. Alamán, México, v., 663. Garrison, Texas, 170, 173-174. The exemption of the Texans from Indian attacks, really due to their prowess, excited suspicion in Mexico: Bancroft, Pac. States, xi., 90. (Felons) Visit to Texas, 112; Bancroft, Pac. States, xi., 115.

<sup>13</sup> Bancroft, Pac. States, xi., 114-116, 118, 132 *et seq.* Garrison, Texas, 176 *et seq.*

the entry of Americans was repealed, and the State authorities were urged to deal more fairly with the minority. At one time Austin, who visited the city of Mexico that year as delegate to obtain a separate organization for Texas, felt hopeful regarding the intentions of the national government; while on the other hand he and other Texans assured the British minister that on general principles—though determined to have no more Mexican troops among them and to maintain the titles of those Americans who had come into the country since the passage of the prohibitory law—the settlers had no desire to assert their independence.<sup>14</sup>

But after a time Santa Anna's purposes ripened, and the federal system was doomed. The great State of Zacatecas, which dared to oppose him, was brutally crushed. Coahuila-Texas also claimed the rights given by the old constitution; and in consequence of this attitude her lawful authorities were deposed, members of the legislature who remained within reach were arrested and banished, and a new Governor was appointed. The feeling in other parts of Mexico as well, against the destruction of the organic law, was strong. The State of Tamaulipas in particular would no doubt have been glad to resist, as may easily be inferred from the later conduct of the people; but a considerable force of Mexican troops, maintained at Matamoros, overawed it. Federalist leaders and Federalist manifestos commonly spoke of annexation to the United States as preferable to an acceptance of Santa Anna's tyrannical rule; and even in the dictator's own State the change of system produced an outbreak. To expect the American settlers to accept it willingly would have been absurd. Not only was the overthrow of the liberal régime by a military chieftain every way ominous, but one of the new laws justified the worst anticipations. It was decreed that the militia should be reduced to one man for every five hundred of the population, and that all citizens not enrolled in it must surrender their arms. Obedience to this order would have left the colonists almost helpless against the outrages of Mexico's convict soldiery and the bloody forays of the Indians. Under the circumstances their acceptance of such a decree was practically unthinkable.<sup>15</sup>

At first the advocates of resistance in Texas, though clamorous,

<sup>14</sup> Bancroft, *Pac. States*, xi., 137. *Pak.*, No. 60, Oct. 5, 1833. In 1833 the Texan "Consultation" voted by more than two to one for the constitution of 1824 in preference to independence.

<sup>15</sup> Bancroft, *Pac. States*, xi., 153, 152, 155. (At Matamoros) Crawford to F. O., April 4, 1837; F. O., Mexico, cvi. *Pak.*, No. 47, July 26, 1834; No. 95, Dec. 21, 1836. (*Militia, etc.*) *México á través*, iv., 353, 340-345.

were but few, while a party equally determined, which sided with the mother-country, opposed them, and the mass of the population desired to stand aloof from all political troubles. No doubt the American settlers had little sympathy with the Mexicans—particularly the kind of Mexicans near them—and felt drawn toward their kindred in the United States. It seems very possible, indeed, that many and perhaps most of them looked forward to an eventual reunion with their native country as desirable. In talking with Butler, the American representative at Mexico, Austin was naturally more frank than in conversation with the British minister; and Butler reported him as saying that all anticipated a separation from Mexico at some future day. A common view appears to have been that a permanent union between races differing so radically was impossible, and that in time, when the American element had become strong, secession could be effected with little or no bloodshed. But this condition of things had not yet arrived. General Wavell, an Englishman in the service of Mexico, visited Texas in 1832, and he became satisfied that the principal settlers did not wish to sever their connection with the metropolis. Morfit, sent down by the American State department in 1836 to investigate the situation, reported that since they had declared their independence the feelings of the Texans had “entirely changed,” and they had now come to “look for no affiliation but with the United States,” which implies that previously their sentiment had been favorable to a continuance of Mexican rule. In 1835 the Texans pledged themselves most solemnly to support the old constitution, and the Declaration of Independence that soon followed might no doubt have been prevented by taking them at their word. In fact, the immortal heroes of the Alamo died under the Mexican flag, fighting for the organic law of 1824. Whatever, then, were the dreams of many settlers and even the purposes of a few, some of whom may have crossed the Sabine with the deliberate aim of endeavoring to bring their new home under their old flag, it seems clear that an overwhelming majority of the people had no desire for the breach that actually occurred.<sup>16</sup>

<sup>16</sup> An examination of the documents relating to the Texan revolution appears to show that the people had no predetermined aim in view and slowly felt their way (So. Hist. Soc. Assoc., vii., viii.). (Three parties) So. Hist. Assoc. Pubs., v., 451. Bancroft, Pac. States, xi., 155. Butler to Jackson, Oct. 2, 1833; Jackson Pap. (View) Foote, Texas, ii., 10. Yoakum, Texas, i., 312. Wavell, Memoir: F. O., Texas, xi. Morfit to Forsyth, No. 7, Sept. 6, 1836; State Dept., Desps. from Mins., Texas, i. (1835) Garrison, Texas, 196, 197.

But, as was almost unavoidable, the friction increased. The course of things was somewhat like that in the American colonies during the years preceding our revolution, but here the mutual distrust was aggravated by profound differences of race, ideas and customs. As Frédéric Leclerc explained in the *Revue des Deux Mondes*, "The most hostile acts and the most compromising decisions, sometimes not intended on either side but resulting inevitably from the situation, followed one another, blow for blow." More and more of the Texans joined in the opposition to the new régime. More and more it became evident that no support in the stand for the old constitution could be expected from other parts of the country. And finally, when it became known that Santa Anna's bloody troops were coming from Zacatecas and that orders had been issued to seize the leaders of the Texan opposition, it was felt that nothing remained save a choice between destruction and resistance. March 2, 1836, the settlers therefore declared themselves independent; and their catalogue of grievances, though naturally marred by exaggerations, gives reasons enough for the step. Morfit wrote to the American Executive as follows: "The question is then asked by the Texans: is a nation, which is incapable of protecting any form of government from overthrow by a few military leaders, entitled to hold the peaceable citizens of a distant part of her country forever subject to all the evils of anarchy?" Naturally Morfit saw things largely through the eyes of the Americans about him, but he was a man of judgment and evidently counseled mainly or altogether with the old, responsible and quiet colonists. An article in the *Edinburgh Review* spoke in these terms: "To this new home they [the Americans of Texas] had wedded themselves for better and for worse; and though it was their duty to submit to the laws of their adopted country, and to bow to the will of the majority, soberly expressed by its constitutional organs, no law of God or man ever bade free and intelligent men to obey every power that might spring from civil war, or submit to every successful violation of the law and the constitution." From such an opinion few Americans will dissent. The revolt of Texas, then, was not so much revolution as resistance to revolution.<sup>17</sup>

<sup>17</sup> *Revue des Deux Mondes*, April 15, 1840, p. 233. It is worth noting that the *No. Amer. Review* (July, 1836, p. 250) pronounced it "a matter of amazement" that the Texans did not prepare for the contest with Mexico, and so it must appear if we believe they deliberately planned to revolt at this time. (Choice) Garrison, *Texas*, 190-191; *So. Hist. Assoc. Pubs.*, v., 469. Morfit to Forsyth, Aug. 22; Sept. 14, 1836: *Ex. Doc.* 35, 24 Cong., 2 sess., 6, 28. *Edinb. Rev.*, April, 1841.

This brief sketch of the circumstances leading up to that movement is perhaps enough for the present purpose; but in order that our view of the whole subject of annexation may be freed from certain traditional misconceptions, it seems desirable to consider the subject a little further. Many Americans denounced the revolution bitterly; and Dr. Channing, evidently moved by an intense detestation of slavery, addressed an open letter on the subject to Henry Clay, which—as it exerted a wonderful influence in the United States, Europe and Mexico and still echoes in current books and in public sentiment—is entitled to particular attention.

Channing denounced the Texan revolt as positively criminal. He said that the colonists had agreed to conform to the religious and civil institutions of Mexico and knew what the régime was likely to be; that had they submitted in good faith to the laws, it was a fair question whether they would have suffered at all from Mexican rule; that in swearing allegiance to the nation they promised to take their chances; that in so unsettled a state of society there could not have been such a fixed purpose in the mind of the government to spoil them of their rights as to justify a violation of their allegiance; that the change from the federal system was sanctioned by the people; that in fact the experience of Mexico had shown the need of adopting a centralized régime; that the Texans, like the inhabitants of a Massachusetts county, were too few to set themselves up as a nation; and that the baselessness of the revolution was indicated by the course of the older and wealthier settlers, who opposed it.<sup>18</sup>

Every one of these opinions, however, in the light of the evidence now within reach can be seen to be incorrect. While the newcomers agreed to accept the institutions of Mexico, they did not promise to welcome violations of the law and the destruction of the constitution. They could not have known what the régime was to be, for Channing's letter shows that he—a man of superior intelligence who had studied the subject—possessed a very inadequate conception of the reality. Submission to the laws did not save the Mexicans themselves from being plundered, outraged and oppressed by their rulers. No heir of the American revolution can hold that the duty of allegiance requires freemen to accept blindly the will of those in power as mere baggage takes the chances of its conveyance. A settled purpose did certainly exist in Santa Anna's mind to rob the citizens of their political rights and to a greater or less extent of

<sup>18</sup> Channing, Works, ii., 183.

their property; a plan was legally adopted to reduce Texas to that worst of conditions, the status of a penal colony; and most of the soldiers sent there to overawe the people were wretches not only able but sure to perpetrate outrages upon them. Sound evidence—for example the testimony of the British minister at Mexico—proves clearly enough that the overthrow of the federal system was due, not to the choice of the nation, but to the machinations of Santa Anna. The centralized régime was not, as Channing argued, better adapted to the requirements of the situation, and it lasted but a short while. Texas was far indeed from being, like a Massachusetts county, an integral part of an orderly and efficient political system. Its history shows that it was not too weak to declare its independence; and nothing is proved regarding the merits of the case by the fact that many of the older and wealthier citizens, like not a few Americans of that class in 1775, leaned to the conservative side.<sup>10</sup>

After thus clearing the ground, as he supposed, Channing went on to explain what in his opinion really caused the Texan revolt: to wit, a land speculation. Grantees (*empresarios*), he said, or the companies to which their titles were transferred, sold in the United States great amounts of illegal scrip said to be exchangeable for lands; more scrip was issued upon lands fraudulently granted; still other titles were manufactured with no basis whatever; and so a great number of persons held claims which could only be made good through the separation of Texas from Mexico. In this representation an element of truth certainly existed, and it is likely enough that some of the grantees and some of the settlers were consciously dishonest in the business; but this is very far from covering the whole ground. It seems highly improbable that large numbers of poor men expended money for titles which they knew to be worthless. Had it been their intention to occupy lands to which they had no right and then make their holdings good by overturning the government, they would not have cared to buy titles. It would therefore appear likely that the purchasers of defective claims, to whom Channing attributed the revolt, bought in good faith, and discovered the fraud perpetrated upon them only after they reached the distant plains of Texas. Indeed we read as follows in a book written by one of these unfortunates: "I had some conversation with Mr. Austin [at Brazoria, Texas] on the purchase of land I

<sup>10</sup> (Penal colony) Bancroft, *Pac. States*, xi., 113-115; Wooten, *Texas*, i., 808. (Troops) Garrison, *Texas*, 174. *Pak.*, No. 4, June 25, 1835. The general desire of the Mexicans was to have the federal system amended, not destroyed.

had made at New York. . . . he regarded the certificate I held, and the scrip which it represented, as of no value whatever." Before long this immigrant discovered that "numbers had already come out to Texas under impressions [regarding their titles] as erroneous as" his own. Yet he and probably they, on account of the difficulty, expense and mortification of going home, remained still in the country.<sup>20</sup>

How stood the case then? Mexico had little ground for complaint. She had eagerly desired colonists. As late as 1845 *El Siglo XIX.*, the most intelligent of her journals, remarked, "One of the great needs of this country . . . is no doubt the colonization of her vast uncultivated areas (*baldios*)"; and this was peculiarly true of the northern parts, where fierce Indians harried the border unceasingly. Recognizing her need, Mexico had passed an inviting law to bring colonists in, and here were now the most efficient of settlers. Contrary to her intention they were mostly non-Catholic, to be sure; but their religious quality, which was by no means a striking characteristic, signified little in comparison with the racial and political differences to which she had felt reconciled, and the technical defects of their titles did not impair their muscle or their brain. Moreover their coming with such papers was largely the fault of Mexico herself. Long before Terán crossed the Rio Grande the government should have exposed the frauds effectually. Had this been done, the American newspapers would have published the facts, and people would have investigated the properties offered them. The many honest immigrants with bad titles had, therefore, a substantial grievance against Mexico, reinforced by the maladministration of public affairs in Texas, while her complaint against them was only technical, and was more than offset by their

<sup>20</sup> "Contractor" would be in one respect a more accurate term than "grantee," for there was an obligation to introduce colonists. Visit to Texas, 26, 45, 46. See also *No. Amer. Rev.*, July, 1836, p. 245. Since the text was written, the author has read an excellent article on the land speculations by Dr. E. C. Barker (*Tex. State Hist. Assoc. Qtrly.*, x., 76), which brings out among other points the following: 1, Certain speculators in land, who went to Mexico, "had a keener sense of the danger" from Santa Anna's plan of Centralism than their stay-at-home neighbors, and hence sounded an alarm; 2, while that promoted agitation it seriously hindered the revolutionary movement, since many looked upon this as a speculators' plan; 3, the wastefulness of the Mexican authorities in granting lands disgusted many Texans and thus had some, but not much, effect in bringing on the crisis; 4, there is no evidence to support the charge that interest in land speculations was the motive which brought a large number of Americans to the aid of Texas. Reference should also be made to a pamphlet by G. L. H., "A Texian," who not only denied that the revolution was effected by Americans for speculative reasons, but offered grounds for his assertion that it did much to counteract the frauds of the speculators.



potential value as colonists. Had they been governed efficiently and well, she would have had ample reason to be glad they came.<sup>21</sup>

Akin to Channing's accusation there was, however, a more serious charge. The Mexican government never wearied of declaring that multitudes of Americans crossed the frontier in open defiance of laws expressly enacted to keep them out; and the inference naturally follows that such men, having no right whatever to be within the country, were disposed to establish their position by exciting a revolution. To a certain extent this view was just. But there were two elements in the matter: enactment and enforcement. Laws to which obedience is not required are soon regarded as of no significance. Such may be found in many statute books, and they are cheerfully ignored. So a landowner who had permitted the neighbors to cross a field of his for ten years, would not be allowed by public opinion suddenly to exact damages from every one that had technically trespassed. Until well on in 1830 nothing effectual was done by the Mexican government to bar out Americans. The feeling by that time prevalent in the public mind could not be corrected in a moment, and in about two years a complete cessation of efforts to enforce the restriction on immigration made it seem once more a meaningless form. Such were notoriously the enactments regarding slavery and the religion of the immigrants, and why might not this be like them? In Mexico, wrote Frédéric Leclerc, laws were "nothing but the merest fictions," and "therefore it would be very astonishing if . . . the Anglo-Americans of Louisiana, Arkansas and the other adjacent States had regarded Texas as a sacred land and religiously refrained from entering it." The very fact that so many crossed the boundary leaves Mexico, according to her own statement, in much the same position as a country that proclaims a blockade but does not enforce it, and soon finds the world ignoring its proclamation.<sup>22</sup>

Just what percentage of the Texans belonged to these two classes—those with defective titles and those with no right at all to be in the country—it is probably impossible to say; and precisely how much influence they exerted in promoting trouble and bringing on the crisis can only be surmised. They had it in their power to increase the irritation by their own acts and by arousing the sympathy of others; and their presence doubtless led the Mexi-

<sup>21</sup> *Siglo XIX.*, Sept. 13, 1845. (Mexico invited) Von Holst, U. S., ii., 552.

<sup>22</sup> (Cessation) Alamán, México, v., 875; Bancroft, Pac. States, xi., 128. *Revue des Deux Mondes*, March 1, 1840, p. 638.

cans to make unpleasant remarks and to feel that by expelling them on the technically good grounds available they could greatly weaken the American element. Here are four causes of friction conceivably traceable to them. But in view of the suggestions that have been offered regarding the equities of the situation one cannot think them very culpable, especially when judged by the principles that have usually guided men under like circumstances, if they refused to be expelled from the land which their own labor had redeemed. In the next place it must be remembered that three colonies—one of which constituted the predominant factor in Texas down to the time of the revolution—were admittedly lawful, so that, as all of these joined in the movement, the main body of its adherents was irreproachable from this point of view. And, finally, when Santa Anna, wholly without reference to any American interlopers in Texas, pursued a course that justified resistance, it was well that the settlers of unquestioned legitimacy were encouraged by the presence of allies to stand their ground; and the latter, as the supporters of a just revolution, acquired then, if not before, good standing in the country. The matter of land titles, therefore, had no essential significance; and we return to the conclusion already formed, that the revolution, although—like all such movements—not without its objectionable features, was in reality a legitimate measure of self-defence.<sup>23</sup>

We now come to another point of Channing's: that a further cause of the rebellion in Texas was a desire to prevent the abolition of slavery there. On this view it seems fair to remark that, after Mexico had continued to maintain in its full vigor the system of peonage and had made Texas an exception to the edict of emancipation, there would have been good reason to protest against an anti-slavery crusade proclaimed by that government under the guise of philanthropy for the purpose of injuring Texas, and against the sudden and violent uprooting of an institution which had developed under Mexican assent until the property, industries and commerce of the settlers depended almost wholly upon it. In England, for example, such a destruction of vested rights would produce an outbreak at once. But as a matter of fact, however possible may have been this cause of trouble, there was no controversy on the subject between the Texans and Mexico when the rebellion occurred, and therefore no occasion for the colonists to act. On the other hand,

<sup>23</sup> (Lawful) Garrison, *Texas*, 174, 157. (Predom.) *Ib.*, 157.

the principal slaveholders obviously belonged to that wealthier portion of the community which was said by Channing himself to oppose the revolution.<sup>24</sup>

Finally, it has been urged, particularly by the Mexicans, that the people of Texas had been treated with such kindness and liberality that besides being traitors they were ingrates; and one or two statements from American sources, bearing on the premise, have often been quoted in support of the conclusion. Nor is the representation wholly without a basis. While there had been some oppression and much more was intended, indolence, deep ignorance of the state of things in the north, and constant preoccupation with home politics had caused Mexican statesmen—as the impartial reports of the British representatives in their country show—to let the Texans manage their own affairs as a rule, which was the greatest possible kindness; and the belief that a colonization of her waste lands was for the interest of the nation led to the suspension of certain customs duties in that quarter which has already been mentioned. But past good fortune, even had the cause been deliberate benevolence, could have bound no one to welcome intentional tyranny. It was the right as well as the duty of Mexico to rule Texas, but she had no authority to outrage and crush it. It was her right and duty to make good laws and enforce them, but she was not excusable for legislating unjustly nor for executing her decrees unfairly.<sup>25</sup>

We may now proceed with the narrative. After declaring their independence the Texans asserted a boundary line, which followed on the southwest the Rio Grande river. This gave rise to an immense deal of discussion, particularly as regarded the claim to the region between that stream and the Nueces; but for our present purpose it is only necessary to observe that the limits claimed were inadmissible, since they included a large portion of New Mexico to which no shadow of a title could be found. The boundary was probably asserted partly in the hope of making it good, and partly with the idea of having a liberal basis for compromise in the final settlement with Mexico. Santa Anna now invaded the country, and the butchery of nearly four hundred prisoners in cold blood at Goliad by his express orders, flanked with similar atrocities enacted

<sup>24</sup> Alamán's report to Congress, March 30, 1830, which was the basis of the policy soon adopted with reference to Texas, expressly recommended that slavery should be permitted to continue there (Ho. Ex. Doc. 351, 25 Cong., 2 sess., 319). (Attitude of large slaveholders) *Mag. Amer. Hist.*, March, 1882, p. 161.

<sup>25</sup> (Amer. support) Child, *Naboth's Vineyard*, 6.

at the Alamo and elsewhere, appeared to justify very fully the apprehensions of the Texan people and the revolutionary course adopted by them for self-protection. In April, 1836, however, he was routed at the battle of San Jacinto and made a prisoner, and by his direction the Mexican forces remaining in the field withdrew beyond the Rio Grande. Thus ended the campaign.<sup>26</sup>

The next month David Burnet became the first President of Texas, and soon commissioners were despatched to the United States with instructions to broach the subject of annexation as well as to urge that of recognition. In the following July these gentlemen proposed the incorporation of their country in the United States in a letter addressed to the American Secretary of State. This was an informal proposition, for the credentials of the Texan representatives were imperfect, and—even had there been no difficulty on that score—our government could not officially receive envoys from an unrecognized country; but the authorities of that nation had now taken a stand in the matter, and when the people pronounced in favor of annexation two months later by an almost unanimous vote, it was plain enough—especially in view of the declared sympathies of many American citizens—that a great question, the question of Texas, had placed itself before our country.<sup>27</sup>

To clear the way for an unprejudiced view of that subject, it seems well now to inquire how far the United States were responsible for the revolution just described, since the judgment of many persons on the annexation problem has been deeply colored by their opinion on this point. The facts already discovered—that a cruel and unprincipled schemer transformed Mexico in effect from a republic modeled largely on the United States into a despotism; that a large portion of the country, though with far less reason than

<sup>26</sup> (No title) Yoakum, Texas, ii., 313. After he was a prisoner, Santa Anna signed a treaty with Texas, recognizing its independence. Though made under duress, this treaty was binding if the President had authority to bind the nation (Woolsey, *Internat. Law*, 175). As Mexico possessed no constitution at this precise time, it is not easy to decide this point; but (1) the Congress had previously been and did afterwards constitute a part of the treaty-making power, and (2), on learning that Santa Anna had been captured, the Congress declared that any agreement with the enemy made by him would be void. It was sometimes argued, in the annexation debates, that Mexico enjoyed the fruits of the treaty and therefore was morally bound by it. But they were enjoyed very unwillingly, and were rejected so far as the Congress was able to reject them. See *Méx. á través*, iv., 375, 376; *Sen. Doc. 1, 24 Cong., 2 sess.*, 37.

<sup>27</sup> Yoakum, Texas, ii., 13. Burnet to Collinworth and Grayson, May 26, 1836: *Tex. Dipl. Corr.*, i., 89. C. and G. to Forsyth, July 16 [14], 1836: *Jackson Pap.* Grayson to Burnet, Aug. 2, 1836: *Tex. Dipl. Corr.*, i., 117. (Earlier efforts of the Texans to establish relations with the Amer. govt.) *Tex. Dipl. Corr.*, i., 19.

Texas, opposed the change and one State resisted in arms; that the Texans, whatever aspirations to join the Union eventually many of them may have entertained or whatever deliberately treasonable designs may have actuated a few, did not desire the revolution that actually occurred; and that they were forced by Mexico to revolt or else feel upon their necks the foot of the most irresponsible, ignorant, vicious and brutal of soldiery, led by one of the most greedy and unscrupulous of chiefs, alien in race, language, customs and every social, political and religious conception—these bare facts indicate plainly enough that an adequate inspiration to rebel came from the south; but certain charges have been made against the United States, and it is our duty to consider them.

In the first place, it has often been asserted that the American government instigated the revolt or at least fomented it. The *London Times*, for example, declared that it "was known, watched and encouraged by the Cabinet of the day at Washington." The Mexicans clung tenaciously to this view; and thirteen members of the American Congress united in alleging that the failure of the mother-country to recover Texas was partly due to "the direct and indirect co-operation of our own Government" with the rebels.<sup>28</sup>

The charge of instigation, however, is entirely without support. Daniel Webster denied it squarely, and a single despatch from the State department seems almost conclusive in the negative. In March, 1833, Livingston wrote to our diplomatic agent at Mexico, who was endeavoring to buy Texas, "The Situation of affairs in the State of *Texas y Coahuila* makes it important *that your negotiation on that subject* should be brought to a speedy conclusion. It is at least doubtful whether in a few weeks any *stipulation could be* carried into effect." In other words, the American government looked upon a Texan revolt as something distinctly contrary to their wishes and inconsistent with their aims. In December, 1835, the provisional Governor of Texas directed Austin, Archer and Wharton, commissioners to the United States, to ascertain whether—should the colonists declare for independence—they would immediately be recognized by this country; and the first two of these gentlemen replied from Louisville, Kentucky, in the following March that they could not be received by the authorities at Washington, and it had appeared unwise to go there. Here a total absence of collusion seems to be shown; and that state of things is indicated

<sup>28</sup> *Times*, May 15, 1844. (Congressmen) *Detroit Adv.*, May 15, 1843.

also by the fact that scarcely had the banner of the new republic been unfurled, when its representatives at Washington, D. C., were instructed to enter a "*solemn protest . . . against the right of Mexico to sell or the U S. to purchase [Texas], Setting forth in full the declaration of Independence.*" The head of the American government at this time was Jackson, and when his personal attitude comes to be studied, still further light will be thrown upon this point.<sup>29</sup>

The hypothesis that our national authorities fomented the Texan revolt is, to say the least of it, superfluous. Ward, the British representative in Mexico, who was notably suspicious of our government, expressed the belief in one of his reports that no interference, even secret, on the part of the American Executive was needed, so warm and so general a sympathy with Texas was felt in the southern States. As for evidence none can be offered, save the undeniable fact that our citizens were not prevented from aiding the colonists. Men, money and supplies actively crossed the border, and perhaps nobody was punished for violating the neutrality laws. This aid, however, has been exaggerated, and the rights of neutrals have been underrated. It has often been asserted, for instance, that the battle of San Jacinto was mainly won by Americans visiting Texas to fight the Mexicans; but it has been found to be almost certain that ninety-eight per cent. of the little patriot army were men already settled there or men who became permanent residents. With regard to the Americans who crossed the Sabine as genuine colonists Mexico could not complain, for Monasterio, Minister of Foreign Relations, used this language in reference to such persons: "they neither are nor can be viewed otherwise than as Mexicans, having voluntarily ceased to be what they previously were"; and his own government went so far as to decree that a foreigner who merely enlisted in their military or naval service should be considered a citizen. Contribu-

<sup>29</sup> Webster to Thompson, July 8, 1842: Ho. Ex. Doc. 266, 27 Cong., 2 sess., 7. To Butler, No. 27, March 20, 1833. It has been argued that this despatch indicated an improperly intimate knowledge of the plans of the revolutionary party in Texas; but (1) it was the duty of the American government to know what was in the wind there, (2) so many Americans were in Texas that it was not difficult to do this, (3) Sam Houston was there in Feb., 1833, as an American agent to deal with certain Indian matters, and he reported on the political situation (Williams, Houston, 79), and (4) the opinion expressed by Livingston was by no means suspiciously correct, for the convention of April 1, 1833, pronounced only for separation from Coahuila, and years instead of weeks passed before the Texans repudiated the authority of Mexico. Smith to A., A. and W., Dec. 8, 1835: Tex. Dipl. Corr., i., 52. A. and A. to Smith, March 3, 1836: *ib.*, 72. To Childress and Hamilton, April 1, 1836: *ib.*, 76.

tions to the Texan cause were pronounced lawful by a United States court; and, as Webster pointed out, the President had no power to prevent an American from emigrating. We could not stop the adventurers without assuming to stop emigration altogether, further explained the Arkansas Secretary of State; and a gun on the shoulder of a man going to settle near the Indians was only a necessary precaution. Merchants could legally sell to the belligerents, and Webster stated in 1842 that during the preceding six years the United States had done more business in contraband with Mexico than with Texas. The English government declared officially that there was no prohibition against the purchase or export of arms by private individuals. In Great Britain two war steamers were built for Mexico expressly to operate against Texas; their arms, officers and crews were obtained there; and when these vessels actually engaged in a fight with the Texan fleet, the men serving their guns were mostly Spanish or English. On the other hand the Texan ships, though built in the United States, did not take their fighting crews from this country; and when the commodore endeavored to enlist men at New York, not only were legal proceedings begun against him, but our Secretary of State notified the Texan envoy that any repetition of the offence by officers of his country would cause the exclusion of their vessels from all American waters.<sup>30</sup>

The only plausible grounds for complaint against our government have reference to certain expeditions of considerable magnitude notoriously intended for the aid of the Texans. These were no doubt substantial violations of the neutrality law. But the lapse cannot be shown to have been the fault of our national authorities. The government announced a firm intention to be strictly impartial; they issued positive orders to their subordinates; and in general, said Lord Palmerston, they showed "a strong disposition" to fulfill their obligations. The truth is that a democratic system has its limitations. In our country men cannot be punished for

<sup>30</sup> Ward to F. O., No. 75, Nov. 19, 1835: F. O., Mexico, xciii. (S. Jacinto) Tex. State Hist. Assoc. Quart., v., 29, note; ix., 260. Monasterio to [Forsyth], Nov. 19, 1835: Ex. Doc. 256, 24 Cong., 1 sess., 10. (Decree) Pak., No. 83, Sept. 10, 1842. (Contributions) *Niles*, xlix., 205. Webster to Thompson, July 8, 1842: Ho. Ex. Doc. 266, 27 Cong., 2 sess., 7. Fulton to Jackson, Jan. 26, 1839: Jackson Pap. (Officially) Aberdeen to Murphy, May 31, 1842: F. O., Mexico, clvii. (Steamers) Smith's memo., June 29, 1842: Tex. Dipl. Corr., ii., 990. Smith, *Remin.*, 39. Doyle, No. 59, Aug. 29, 1843. (Crews) Smith to Aberdeen, [Dec. 12, 1842]: Tex. Dipl. Corr., ii., 1075. Forsyth to Dunlap, Jan. 15, 1840: Tex. Dipl. Corr., i., 437. Chapter iii. will present other facts showing the coolness of the American government toward the Texan cause.

crime without legal proof of the offence charged, and in these cases public sentiment did not permit such proof to be given. Once at least—at New Orleans—the matter was thoroughly tested, and no proper evidence could be obtained. One infers from the affidavits that some, if not all, of the witnesses were afraid to tell what they really knew; but so far as the prosecution was concerned, it was the same as if they had been truly in the dark. The District Attorney even asked the Mexican consul to put him on the track of legal evidence, and the consul admitted his inability to do so. Another form of the difficulty is shown in the case of Captain Grundy, a Tennessee District Attorney, who organized a band of seventy men. Grundy, reported the Texan agent at Nashville, “has *formal orders* to arrest and prosecute every man who may take up arms in the cause of Texas or in any way *Violate* the Neutrality of the U. S. He says 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 [over them] in this Govt will cease and he thinks it highly probable that he will take a peepe at Texas himself.” In such a case what could orders from Washington effect?<sup>81</sup>

Crawford, the British consul at Matamoros, visited Texas in 1837 and reported that after making “all and every inquiry” during his stay, he was convinced that no assistance had been given or connived at by the American government. He added: “Whenever there was a suspicion attached to expeditions, there has been a prosecution of the Parties by the United States, though generally such prosecutions have failed, because of the difficulty of obtaining sufficient evidence, owing to the sympathies of this People of America being roused by the Atrocities of the Campaign of 1836 and their interests also being deeply engaged in the success of the struggle of their Sons and other relatives, the Colonists of Texas.” The British minister at Mexico was instructed to represent to that government “the impossibility of preventing the interference of the People of the United States”; and, writing to the same official in

<sup>81</sup> (Announced) To Butler, Nov. 9, 1835. (Orders) Ho. Ex. Docs. 256, 24 Cong., 1 sess.; 74, 25 Cong., 2 sess. (Palmerston) Stevenson to Forsyth, No. 9, Oct. 29, 1836: State Dept., Desps. from Mins., England, *Miv.* (N. Orl.) Ho. Ex. Doc. 74, 25 Cong., 2 sess. Carlton to Consul, Nov. 14, 1835: *Sria. Relac.* Carson to Burnet, June 1, 1836: *Tex. Dipl. Corr.*, i., 92. See also *Sen. Doc.* 1, 24 Cong., 2 sess., 41, 42, 53, 67.



1842, Lord Aberdeen expressly disclaimed any intention to criticize the American administration in this matter. The minister for his part informed Santa Anna plainly that he believed our authorities had done all that was to be expected or that lay in their power; and Santa Anna did not venture to challenge this opinion. To sum up, Daniel Webster, who was neither a slaveholder nor a "friend of Texas," declared at about the same time: "The conduct of the government of the United States in regard to the war between Mexico and Texas, having been always hitherto governed by a strict and impartial regard to its neutral obligations, will not be changed or altered, in any respect, or in any degree."<sup>32</sup>

In the next place, it has been charged that Andrew Jackson caused the Texan revolution. Under this head there are really two accusations, which it has not been customary to distinguish clearly. The first is that Houston, relying on Jackson's connivance, planned to seize the country beyond the Sabine with a force raised in the United States. Some such scheme may in fact have germinated in his fertile imagination and may have been set forth by his drink-loosened tongue; but certainly recruiting officers could not have been active in the eastern cities, thousands of volunteers could not have been enrolled, and the implied accumulation of funds could not have existed, as Mayo and Child wished the public to believe they did, without attracting the least public notice. No sign of such an expedition could be discovered on the frontier; and as a matter of fact Houston went to Texas quite unattended. Equally certain is it that Jackson, though his faith in the tale was justly feeble, wrote urgently to Houston himself, to the Governor of Arkansas and afterwards to the Secretary of that Territory, expressing emphatic opposition to the rumored enterprise and manifesting the clearest intention to prevent it. So far, at least, his conduct appears irrefragable.<sup>33</sup>

<sup>32</sup> Crawford to Pak., May 26, 1837: F. O., Mexico, cxxxvii. To Pak., Nos. 26, 34, July 1, 15, 1842. (Pak. and S. Anna) Thompson, No. 3, June 20, 1842. To Thompson, No. 11, July 13, 1842. It has often been urged that the U. S. government showed more zeal for neutrality in the case of the Canadian rebellion of 1837 than it had done in the Texas affair. On this point the *Democ. Review* said (May, 1845, p. 427) that in 1837 the difficulty occurred in a section where it was more feasible to act with effect, and larger powers had by that time been conferred upon the government. Of course, too, no atrocities occurred in Canada to excite the sympathy of the Americans.

<sup>33</sup> It has even been argued that Jackson, regarding the cession of Texas in 1819 as void, considered himself bound by his oath of office to recover it as best he could; but if this was the case his oath bound him to put down the Texas revolution, as an insurrection against the U. S. (The charge) Child (Mayo), Naboth's

The second count is that later he sent the ex-Governor of Tennessee to Texas for the purpose of exciting a revolution against Mexico. To prove this theory a recent biographer of Houston proceeds thus: first he quotes the following words from Parton,—“When we consider the relations existing between General Jackson and General Houston, it is difficult to believe that the President was ignorant of Houston’s designs [to organize the expedition just mentioned]. His office, however, compelled him to assume an attitude of hostility toward them”; and then the biographer continues, “There is also in the Clay Correspondence a reference, which I have lost, to Houston’s being once discovered in a gathering of midnight conspirators about a failing fire. This is about all that can be learned. Yet, among probable things, there are few more certain than that, at the end of 1832, after the Stanberry affair, Houston went forth to Texas with a conditional authorization from Jackson.” This is airy proof indeed. Another biographer gives additional evidence, however. Finding from an English traveller that Houston—then a notorious drunkard and gambler—was said to keep himself out of sight all day at Nacogdoches in February, 1833, and to pass his nights at play, and finding also that strangers were in town just then for the alleged purpose of buying land, he surmised that our closeted reveller “was undoubtedly busy in consultation with the men who were scheming for the acquisition of Texas from Mexico.” Now it is true that Houston, who had lived with the savages and understood them, held at this time a commission from Jackson to negotiate with certain Indian tribes in Texas. But only gross partisanship can find proof in this mere collocation of circumstances and guesses that the President of the United States was a hypocrite, a liar and virtually an oath-breaker.<sup>34</sup>

Undoubtedly Jackson desired to acquire Texas; but a wide gulf yawns between wishing to purchase an article and conspiring to steal it, and no good evidence has been unearthed in support of the highly improbably theory that he crossed the gulf. Moreover, he was not a coward or dissembler, and the language used by him at the time was perfectly clear. Writing to the American minister at

Vineyard, 6. (No sign) Fulton to State Dept., Feb. 13, 1838: Miscel. Letters. (Unattended) Fulton to Jackson, Jan. 26, 1839: Jackson Pap. Jackson to Houston, June 21, 1829: Yoakum, Texas, i., 307. Id. to Gov. Pope, 1829: *Amer. Hist. Rev.*, xii., 802. Id. to Secy. Fulton, Dec. 10, 1830 (cut from Wash. *Globe*): Jackson Pap. (cf. David Fulton to Jackson, Feb. 18, 1839: *ib.*).

<sup>34</sup> The biographers need not be named. (Houston’s mission) Williams, Houston, 77. Some of the Indians belonged in the United States.

Mexico, he said that a revolt in Texas was probable and added these words, "This our Govt will be charged with fomenting; altho all our constitutional powers will be exercised to prevent." Livingston's despatch mentioned above closely followed a memorandum from the President, and Jackson gave notice personally to the Mexican minister that a convention was to meet in Texas on the first of April, 1833, in furtherance of a scheme of secession. After the rebellion began, he informed the Texan envoy that the United States must observe "strict neutrality," saying further, "it is our boast that we conform strictly with all our national engagements & keep inviolate our national faith." To Governor Cannon of Tennessee and to General Gaines, commanding in the Southwest, he used similar language. Just before the battle of San Jacinto Austin made a very touching appeal for assistance, and on the back of his letter Jackson endorsed these sentences: "The writer does not reflect that we have a treaty with Mexico, and our national faith is pledged to support it . . . [The rebellion] was a rash & premature act, our neutrality must be faithfully maintained." To suppose that he sacrificed his honor to incite a revolution yet was too honorable or too cowardly to aid it at the critical moment is hardly possible. The truth of the matter probably is that he thought the essential characteristics of the Americans made the permanence of Mexican rule in Texas highly improbable, and in fact on this very ground he believed that Mexico should sell the territory; but as regards the rebellion that actually occurred, he deemed it ill-advised and unfavorable to his plans. In a letter to W. B. Lewis he clearly stated that only in consequence of failing to purchase Texas, and only after the battle of San Jacinto, did he take up the idea of recognizing Texan independence and eventually securing the country by annexation.<sup>35</sup>

<sup>35</sup> Jackson to Butler, Oct. 19, 1829: Jackson Pap. Jackson's memo. on Butler's despatch of Feb. 10, 1833: State Dept., Desps. from Mins. Montoya to Relac., April 11, 1833: Sria. Relac. The convention referred to was that of April 1, 1833, in view of which Livingston wrote the despatch mentioned above: see note 29, (4). Jackson to Dunlap, July 30, 1836: Jackson Pap. Id. to Cannon, Aug. 5, 1836: ib. Id. to Gaines, Sept. 4, 1836: ib. Jackson, Memo., April, 1836: ib. About a year after Texas declared its independence, Jackson still entertained the idea of purchasing that territory of Mexico (Wharton to Rusk: Tex. Dipl. Corr., i, 187), which looks little as if he had originated or encouraged a plot—thus far successful—to get it for nothing. Jackson to Lewis, Sept. 18, 1843: N. Y. Pub. Lib. (Lenox). It is noticeable that Von Holst (U. S., ii., 565), though in general he follows the anti-slavery leaders regarding annexation, holds that what occurred in Texas up to Nov., 1835, revived Jackson's desire to purchase Texas—a view rather inconsistent with the theory that he was inciting a rebellion there. (Believed) Jackson to Butler, Oct. 19, 1829: Jackson Pap.

Let us look now at Houston. He first became prominent in Texan affairs at the head of a committee appointed to draw a State constitution, the acceptance of which by Mexico would have prevented the rebellion that soon occurred. In October, 1835, he wrote, "Our principles are to support the Constitution [of 1824] and *down with the usurper!!*" Not he, but Anson Jones, appears to have set the ball of independence rolling. In fact, no trace of him is to be discovered for more than two years during the critical stage of the budding revolution, and when he reappears, it is not at the principal seat of the movement. Hundreds of Texan and Mexican documents bearing on the genesis of the rebellion have been searched for his name without success; and when the Mexican authorities made a demand for the chiefs of the war party, he was not mentioned. Finally, he spoke on the subject at a barbecue near Nashville in 1845. Addressing former constituents and friends, he might have been excused for straining the truth a little in order to make them believe that a great purpose had underlain his terrible plunge from their statehouse to a Cherokee wigwam, and that he could claim the credit for a revolution which was now adding an empire to their country. But what he said was this: "To the principles of our provisional government of 1835, by which we pledged our fortunes and our sacred honor to the maintenance of the Constitution of 1824, we had adhered with a tenacity little short of religious devotion"; and he attributed the revolution simply to the necessity of self-defence against the Mexican invasion. If, then, any understanding existed between Jackson and Houston with reference to a Texan uprising, it would seem to have been that the colonists had not strength enough to justify such a step, and—particularly as the United States desired still to buy the territory—ought to be deterred from taking it. In other words, both appear to have been against, instead of for, the revolt that actually occurred.<sup>86</sup>

We have now to consider the view that the Texan revolution was caused by the American slavocracy for the purpose of adding slave territory to the United States. Here again certain facts, when placed side by side, look suspicious. An extension of the slave area was needed to offset the western growth of the free North; citizens

<sup>86</sup> Yoakum, Texas, i., 311. (Houston) *Niles*, xlix., 144. Jones, *Memor.*, 13, 23, 547. (No trace, etc.) *Amer. Hist. Rev.*, xii., 802. (Speech) *Nash. Union*, July 12, 1845. When Houston found that a revolution was inevitable, of course he supported it.

of the southern States migrated to Texas taking their negroes with them; when abolition was decreed by Guerrero they protested; after becoming strong they revolted; they were aided by slaveholders in the United States; and finally Texas was carried into the Union as slave territory. A mind inflamed with a passionate hostility to human bondage and gifted with a talent for special pleading could build on such facts a mountain of confirmatory hints and circumstances. Lundy spoke in these terms: "It is susceptible of the clearest demonstration, that the immediate cause and the leading object of this contest [in Texas] originated in a settled design, among the slave holders of this country, (with land speculators and slave traders,) to wrest the large and valuable territory of Texas from the Mexican Republic." Instead of demonstration his book presented suggestions only; but it had a great effect in spreading this idea, which—like the feeling against Jackson, Houston and our government—still influences public opinion.<sup>87</sup>

Great events, however, do not often come to pass in so delightfully simple a manner, and the Texas revolution was no exception to the rule. Propinquity and similarity of climate caused that region to be settled mainly from our southern States, and the introduction of slavery was practically inevitable. Why the colonists opposed abolition and why they revolted we have seen. The reasons for a special interest in their affairs on the part of the Southern people could be detected from afar. Grimblot, for instance, pointed them out in the *Revue Independante*. Texas was nearer to the States of that section; many of their citizens had gone there; frequent reports made it familiar and revealed its resources; and the opportunities for traffic, particularly in negroes, were fine. The need of getting more slave territory was not generally realized when the colonization of that region began. The penetration of settlers beyond the Sabine was a part of the general expansive movement that peopled the whole area west of the Alleghenies; and it was impossible, as Grimblot said, for the people in the neighboring States to neglect such an opportunity. Instead of finding the South organizing to pour settlers into Texas, we find Texas taking deliberate steps to obtain them; and in September, 1836, \$30,000 were ordered to be taken from her meagre treasury for that purpose. The poverty and disorganized condition of the republic during a long term of years and its threatening approach to collapse, are inconsistent with the

<sup>87</sup> Lundy, *War in Texas*, 3; Greeley, *Amer. Conflict*, i., 149.

theory that an organization of rich and farseeing American planters was behind it. Had such a body been at work, it would have sent leaders to preside over its interests, and such leaders are not found. Burnet came from New Jersey. Lamar, the second head of the nation, was not one likely to be selected by practical men to manage such an enterprise. Houston we have studied somewhat; and Anson Jones, the last President, was from Massachusetts. Morfit appears to have discovered no sign of such an organization. Some of the people, he said, had come from the United States to avenge relatives butchered by the Mexicans, some to profit by the salubrity of the climate and the prospect held out by a new country, and some on account of the fertility and easy cultivation of the soil; and he expressed the opinion that should the independence of Texas be acknowledged, that region would "afford a great Haven for the planters of our Southern States," which implies that up to that date—August, 1836—it had not been so regarded.<sup>88</sup>

Some signs of a colonization enterprise we do, to be sure, unearth; but we discover them at New York. In 1845 the New York *Herald* remarked that the movement which had ended in the acquisition of Texas began on Manhattan Island probably ten or twelve years before; and this may be accepted as evidence that such a movement existed, though it is very far from proving that Texan independence resulted from that cause. In 1834, a gentleman wrote from New York to Van Buren that Texas was fast filling up, because no exertions were spared at that point; that in spite of the bad season three schooners full of emigrants had left within four weeks; and that two more were preparing. At the end of April, 1836, books for a Texas loan were opened in that city, and \$100,000 were subscribed in a single day. On the other hand Forsyth and McDuffie, the former our Secretary of State and the latter serving as Governor of South Carolina, were southern men; yet they strongly stood out against Texas.<sup>89</sup>

Finally, we are met by the charge that the separation of Texas from Mexico was due to the United States as a nation,—to the

<sup>88</sup> *Rev. Ind.*, Aug. 25, 1844. (Need of more slave territory not felt) Von Holst, U. S., ii., 550. (\$30,000) Morfit to Forsyth, No. 8, Sept. 9, 1836: State Dept., Desps. from Mins., Texas, i. (see also Garrison, *Texas*, 195). (Lamar repudiated) Yoakum, *Texas*, ii., 187. Morfit to Forsyth, Aug. 27, 1836: Ho. Ex. Doc. 35, 24 Cong., 2 sess., 11. Id. to Id., Aug. 27, 1836: State Dept., Desps. from Mins., Texas, i.

<sup>89</sup> *Herald*: London *Spectator*, Oct. 25, 1845. Gutierrez to Van B., May 29, 1834: Van B. Pap. (Loan) Richmond *Eng.*, May 3, 1836. Even Von Holst admits the untenability of Lundy's view (U. S., ii., 553). The facts about Forsyth and McDuffie will appear later.

American people. This assertion has more to stand upon. There can be little doubt that she would have failed to maintain her independence without the men, funds and moral support given her by citizens of the United States. But it is essential to discriminate. In all probability there were persons at New York, New Orleans, Nashville and other places in our country who were willing, for pecuniary gain, to disregard the laws of Congress and the laws of conscience, and to trade upon the unselfish enthusiasm of their neighbors. These deserved of course the sternest reprobation. But such characters are peculiar to no period and to no country; and they compel us to blush, not for the United States, but for mankind.

The cohort of schemers and speculators formed, however, but a small company among the friends of Texas. What roused the American public was the belief that a small people were bravely struggling against the tyranny of a much greater one. The fact that the "patriots" were next-door neighbors and blood-relatives powerfully reinforced this impression; and the stupid atrocities of the Mexicans, perpetrated—according to newspaper reports—against unarmed immigrants as well as prisoners of war, set all these ideas aflame. Shortly before the battle of San Jacinto the New Orleans *Courier* said: "We feel confident that the American people will not look on [as] silent spectators, when the lives and liberties of their countrymen are in such imminent danger;" and the same journal remarked a little later: "The people of the southern States have become alarmed, dismayed, disgusted; not at the success of Mexico, for in that they take no particular interest; but at the rapid strides with which fiendish and horrid barbarity, cruel and unmerciful treatment towards human beings, are advancing almost on our borders." Said the *Daily Georgian*: "It will not, we opine, redound much to the credit of our country, if we permit an indiscriminate slaughter, on our borders, of all the Texians, even to their women and children, without some effort to arrest the relentless arm of the Mexicans." In May, 1836, a meeting at Washington, D. C., went on record thus: "*Be it resolved*, that Santa Anna, in waging a contest, on his part, of indiscriminate massacre against the freemen of Texas, has, in the name of *war*, set an example of wide-spread, unsparring, multifarious murder, at which humanity stands aghast, and upon which civilized nations are not bound to look with indifference." "I shall never forget the deep, the heart-rending sensations of sorrow and of indignation which pervaded

this body when we first heard" of Santa Anna's "inhuman butcheries," said Buchanan later on the floor of the United States Senate. The New York correspondent of the London *Times*, who called himself Genevese, declared that a desire for vengeance had deeply stirred not only the relatives of the persons massacred, but the communities from which they had gone. At Philadelphia, about the middle of April, 1836, a Texas meeting at the Tontine was attended by such crowds that many could not gain admittance. The Chief Justice of the Tennessee Supreme Court wrote thus: "The savage barbarities of murdering Fanning and his core, *after a Capitulation*, has so enraged the people of this Country, that they were raising men openly to fight St. Anna. . . . The men under 35, *and all the women*, are for having St. Anna shot, and the Texas *Eagle* planted on his capitol." Here we have the essential causes of the assistance given Texas by the Americans; and our conclusion as to its disinterestedness is confirmed by finding, as the agent of the United States reported, that a suspicion of land-speculating as an element in the revolution, greatly and at once abated the enthusiasm of the American volunteers.<sup>40</sup>

The action of our citizens was quite in accordance with our principles and practice. Help had been given to Greece, to Poland and to Mexico herself; and the Canadian revolt of 1837, though infinitely less deserving of sympathy, was encouraged by Americans. Moreover the course of our people was essentially right. Those who enjoy the blessings of freedom not only have an interest in sustaining the cause of liberty but are under a certain obligation to do so, and in this instance another duty also required attention. The atrocities perpetrated in the name of Mexico called for retribution; there were no tribunals to take cognizance of them; and it fell to the Americans, both as nearest neighbors and as next of kin, to act. Allowing for the absence of these special circumstances, other countries went as far. The British government declared that the barbarities had stained the character of the Mexican nation with

<sup>40</sup> N. Orl. *Courier*, April 11, 25 (immigrants), 29, 1836. *Daily Georgian*, April 21, 1836. (Washington meeting) Sen. Doc. 384, 24 Cong., 1 sess. (Buch.) *Cong. Globe*, 28 Cong., 1 sess., App., 723. *London Times*, June 27, 1836. *Pennsylvanian*, April 19, 1836. Catron to Jackson, June 8, 1836: Jackson Pap. (Volunteers) Morfit to Forsyth, Sept. 9, 1836: Ho. Ex. Doc. 35, 24 Cong., 2 sess., 18. The popular and disinterested character of American aid was further illustrated by the remark of the New Orleans *Bee* in 1843: "Many of the people of these states have impoverished themselves in raising supplies for Texas" (*Niles*, lxiv., 175), though probably some of the losers were simply unsuccessful speculators. With reference to the atrocities it should be remarked that when not excited the Mexicans are as a people kind and even tender-hearted.



“deep disgrace”; and the British and French ministers at Mexico called upon the President to urge that less severity be shown. “All political communities,” observed Canning to the Spanish government, “are responsible to other political communities for their conduct.” Another consideration, too, may be worthy of mention. In a sense, and that perhaps a very important one, the unchecked action of American citizens in leaving their homes to aid the Texans may have been fortunate for Mexico herself. The New York correspondent of the London *Times* declared that the South and Southwest were eager for war with that country on account of Santa Anna’s cruelties; and, had the feeling in the United States been somehow dammed up, it is very possible that an outbreak highly injurious to her as well as to this nation would have resulted.<sup>41</sup>

We conclude therefore, on a broad view of the matter, that while in this as in every such case improper factors can be discovered, the government and people of the United States appear to stand acquitted of serious blame.

<sup>41</sup> N. Y. *Evening Post*, April 11, 1836. (Aid to Mexico) To Thompson, July 8, 1842: Ho. Ex. Doc. 266, 27 Cong., 2 sess., 7. To Pak., No. 19, Aug. 15, 1836. Pak., No. 32, April 21, 1836. *Times*, June 29, 1836. Canning, March 25, 1825: Arch. French Foreign Office. One cannot view without pain the falsehoods and the disregard of law chargeable to some Americans in this affair, but they were explained as excusable because under the circumstances unavoidable. This is a dangerous principle, and yet it must be admitted that the common sense of mankind has fully recognized it, punishing severely those who are thought to have applied it unnecessarily. Washington, for example, sent out spies with the expectation that they would lie, and he was accessory before the fact to the killing of many persons; yet no one censures him.

## II.

### TEXAS AND MEXICO, 1836-1843.

THE people of Texas were in certain ways peculiar and notable. Walt Whitman, who knew the type, depicted them in striking words:

“They were the glory of the race of rangers,  
Matchless with horse, rifle, song, supper, courtship,  
Large, turbulent, generous, handsome, proud and affectionate,  
Bearded, sunburnt, dressed in the free costume of the hunters;”

and General Wavell, in a memoir submitted to the British Foreign Office, completed the picture in the following terms: “To as much if not more natural Talent, and energy to call it into play, and knowledge of all which is practically useful under every Emergency of the most Civilized Nations, they add a reckless hardihood, a restless Spirit of Adventure, resources and confidence in themselves, keen perception, coolness, contempt of other men, usages, and Laws, and of Death, equal to the Wild Indian.”<sup>1</sup>

This description did not apply primarily, of course, to the townsmen; but the towns were few and small in Texas at that day, and all partook in a greater or less degree of these characteristics. Every colonist had ventured, from choice or necessity, into a strange and undeveloped country in the face of peril from the Indian and the uncertainties, if nothing worse, of alien rule. Most of the settlers, one must believe, were genuine pioneers of the sort Americans are proud to remember; but some had left their homes because of crimes, due in many instances to the heat of passion rather than to any vicious disposition, or because of financial misfortunes, resulting often from bad luck, imprudence or hard times and not from any moral shortcomings; while a smaller number, though very likely endowed with manly qualities, had to be classed as desperadoes. Such men were no weanklings, and their necks bent readily to no yoke. They were strong, free, independent, inclined to be insubordinate, and in frequent instances very determined in pushing their individual fortunes.<sup>2</sup>

For a few months Burnet stood at the head of the republic,

<sup>1</sup> See General Note, p. 1. Wavell, Memoir, Nov., 1844: F. O., Texas, xi.

<sup>2</sup> No doubt the American panic of 1837 drove many good men to Texas.

but in October, 1836, Sam Houston became President. Here was a man suited to his environment. He had been bad enough to command the admiration of the worst, while his efforts to redeem himself won the respect of the best. As a soldier he had been able to gain the esteem of Andrew Jackson and to overthrow the dictator of the Mexican republic; and as a politician he had reached while still young the gubernatorial chair of Tennessee. A domestic tragedy had exiled him to the forest, and Chief Bowles of the Cherokees had there served him as preceptor. From this training he emerged with his great natural powers curiously developed but in no sense destroyed. In his conceptions one felt a certain bigness well suited to the vast plains of Texas; his intellectual processes were somewhat meandering like the rivers of the Gulf slope, but like them flowed onward to the sea; and his language was often marked with a humor and an eloquence very appropriate to the Lone Star Republic. Though vain, selfish and domineering, bitter in his personal animosities, and much given to stirring up strife, he could be a genial, hail-fellow-well-met with the commonest of his fellow-citizens; and his apparent violence of passion was mainly, if not wholly, the cloak of deliberate calculation. He was fond of alluding to himself as "Old Sam"; but he could wrap himself at will in the dignity of one able to rule his country and even to rule himself. Probably nothing in ordinary human nature escaped his observation; he was perfectly willing to veer and turn in his apparent attitude as the prejudices and feelings of the people required; and he showed himself extremely dexterous in making the faults as well as the abilities of others—and of himself also—contribute to further his designs. According to the British representative in Texas he was perfectly pure-handed and mainly actuated—not by a small desire for office or a smaller greed for money—but by a grand ambition to associate his name with a nation's rise. His administration, however, did not prosper very well. In the existing state of dissension growing out of public difficulties and private aims full success was doubtless unattainable, and at the close of his term in December, 1838, he retired from office a distinctly unpopular man.<sup>3</sup>

His successor was Mirabeau Buonaparte Lamar, brother of Lucius Quintus Cincinnatus Lamar of the United States Supreme Court. As the Christian names of the two suggest, there was a

<sup>3</sup> This estimate of Houston is based to a considerable extent on the despatches of the British chargé in Texas, who was well qualified to form a sound judgment regarding him and had every motive for expressing his true opinion.

peculiar strain in the blood,—something soaring and impractical. No doubt the President was brave, able, chivalrous, of high integrity and of disinterested patriotism; but Anson Jones appears to have come somewhere near the mark in characterizing him as “a sort of political Troubadour and Crusader.” His ideas, though in many respects admirable, mounted too high for the situation. In planning for the future he overlooked the time being. Texas was overburdened with officials, for example, and their salaries were extravagant. During the year ending September 30, 1839, the revenue was less than \$188,000, while the expenses rose to over \$900,000; and this disparity was permitted at a time when promissory notes to the amount of more than \$1,800,000 were already out. In June, 1840, these notes were worth about 17 per cent.; and at the end of the year 14 per cent. Their effect upon real money was the same as elsewhere; and while almost every other method to maintain credit was considered, the simple one of reducing expenses to a safe basis appeared to be overlooked. About the middle of 1841, the captain of a French corvette reported that Texas possessed no coin, and had no trade except in rum, gin and brandy, while the cost of living was exorbitant.<sup>4</sup>

During Lamar's term the Federalists of northern Mexico were trying to make head against the government, and in the autumn of 1839 one of their leaders visited Texas, asking for her co-operation and promising the recognition of her independence in case of success. This proposal was no doubt a strong temptation to the Executive. The colonists themselves had taken up arms against Mexican Centralism in the name of the constitution; and, as General Hamilton showed in a letter to Lord Palmerston the following year, the idea was entertained of securing an increase of territory by helping the malcontents of northern Mexico to revolutionize that region. But the Texan authorities were endeavoring at this time to secure recognition from the mother-country by negotiation, and were rather confident that with foreign aid this could be brought about. Naturally, therefore, it was felt that co-operation with the enemies of the government would be impolitic, and there were even hopes that Mexico would be disposed to reward Texas for standing aloof. It was also desired to raise a foreign loan, and a conservative policy seemed necessary to inspire confidence abroad. In accordance with these ideas Lamar issued a proclamation in 1839

<sup>4</sup> Smith, *Remin.*, 32. Jones, *Memor.*, 34. Yoakum, *Texas*, ii., 281-286. (Captain) Pak., No. 68, July 8, 1841.

against engaging in hostilities beyond the Rio Grande. In fact, the Texas Congress passed secret resolutions almost unanimously, promising to support the Executive in making a pacific settlement with Mexico, and in the course of 1840 and 1841 a secret agent and two plenipotentiaries were sent to that country. The President's authority, however, was not sufficiently respected to secure obedience, and in 1839 Texans joined with Canales in his campaign against the Centralists. At the beginning of the next year, the Republic of Rio Grande was proclaimed by this general at Laredo, on the northern side of the river, with a constitution based on that of 1824; and Texans fought with him until, despite the treachery of their allies, they gained a victory at Saltillo the following October. This insubordination tended little to strengthen Texas or enhance the prestige of her government; and the envoys sent to Mexico failed entirely.<sup>5</sup>

Another event of Lamar's administration that had a bad effect was an ill-starred expedition to Santa Fe. It was believed that many—perhaps most—of the people of New Mexico would welcome amalgamation with Texas, and in fact report had it that the expedition was invited. Success would materially have increased the wealth and strength of the nation and enabled it to assert practically its claim to this portion of its boundary. There was, however, another reason for the experiment. A large and profitable trade was carried on between the United States and Chihuahua by way of St. Louis and Santa Fe; and it was believed that the shorter and easier rout from Galveston, if once opened up, would soon monopolize the business. The Congress refused to appropriate money for this enterprise, but Lamar ordered the expenses of fitting it out paid from the treasury. Through a series of misfortunes, however, the costly expedition totally failed, and the members of it were captured by the Mexican authorities. In short, at the end of this administration it was substantially true, as Anson Jones affirmed, that Texas was "brought to the extremest point of exhaustion consistent with the ability of being resuscitated."<sup>6</sup>

<sup>5</sup> Docs. in Tex. Arch. La Branche to State Dept., No. 29, Oct. 25, 1839; State Dept., Desps. from Mins., Texas, i. Webb to Dunlap, March 14, 1839; Tex. Dipl. Corr., i., 372. Gordon to Pak., April 29, 1839; F. O., Mexico, cxliii. Hamilton to Palmerston, Oct. 14, 1840; ib., Texas, i. Minutes of meeting held Sept. 21-23, 1839; Tex. Arch. (Hopes) Webb to Pak., June 16, 1841; F. O., Mexico, cxlv. (Loan) Burnley to H. Smith, Nov. 10, 1838; private coll. Yoakum, Texas, ii., 288, 274, 289, 293. (Congress) Hamilton to Pak., Jan. 2, 1840; Tex. Arch. (Agents) Jones, Letter: Niles, Jan. 15, 1848.

<sup>6</sup> Yoakum, Texas, ii., 321-323. (Invited) N. Orl. Com. Bull.: Boston Adv., July 22, 1841. (Trade route) Kennedy, Jan. 10, 1842. Jones, Memor., 23.

At the beginning of December, 1841, Houston was recalled to the helm of state. In his inaugural Message he declared that there was not a dollar in the treasury, that the debt amounted to ten or fifteen millions and that the nation had no credit. He was charged with exaggerating the badness of the situation for effect; but, as he was obliged to inform Congress about six months later that want of money had entirely stopped the transportation of the mails, the case must have been hard indeed. At about the time of his inauguration, the *Galveston Advertiser* stated that the entire revenue was not enough to pay the interest on the national debt, and that in many counties nearly half of the lands were under seizure for taxes.<sup>7</sup>

Houston's programme was simple but wise, and admirably calculated to inspire confidence abroad. Toward the Indians, with whom he was naturally able to maintain more friendly personal relations than most white men could have done, he advocated a humane and kindly attitude; toward Mexico he insisted upon a pacific rôle, arguing that it would exasperate that country and weaken Texas to take part in the disputes of her political parties; and so far as home affairs were concerned, he enforced a system of rigid economy. None of these policies was acceptable to everybody, but with commendable courage he persevered.<sup>8</sup>

Up to 1842 Mexico had been so busy with revolutions and her treasury had been so empty, that she could not disturb Texas or even seriously threaten it. In 1837, a handful of troops went as far north as the Nueces, and in July, 1841, a small band captured a few Texans near Corpus Christi; but these were trivial raids. In 1842, however, probably in order to refute the conviction rapidly gaining ground abroad that the war had ended, Mexico bestirred herself somewhat. In March her forces took San Antonio and two other points, retiring before they could be attacked. In July there was a skirmish on the Nueces; and in September San Antonio was again captured.<sup>9</sup>

The effect of these incursions upon the welfare of Texas was extremely serious. In the first place they produced a sense of insecurity and uncertainty, which depressed the inhabitants and discouraged immigration. In the second, calling the able-bodied men

<sup>7</sup> Yoakum, Texas, ii., 337. (Charged) Kennedy, Jan. 10, 1842. (Mails) Yoakum, Texas, ii., 359. *Adv.*: N. Orl. *Courier*, Dec. 10, 1841.

<sup>8</sup> Elliot to Doyle, private, June 21, 1843: F. O., Texas, vi. Yoakum, Texas, ii., 332, 337. Garrison, Texas, 236.

<sup>9</sup> Yoakum, Texas, ii., 241, 319, 349, 350, 361, 363.

from home, they placed the women and children in many instances at the mercy of the Indians and the slaves. In the third place, interrupting every sort of peaceful occupation, they not only put a stop temporarily to agriculture and trade, but caused embarrassment for some time to come; and finally they laid a very heavy financial burden upon the struggling community. In March, 1842, at least 3,500 Texans had to take the field, and in September they were called out again; and all this was to attack an enemy that fled as rapidly as he came. Even more disturbing than such invasions was the fact that Mexico had ordered two war steamers built in England, for—were Galveston to be occupied—nearly all the commerce and public revenue of the nation would cease; and in March, 1842, every citizen of that town who did not go to the army was called upon to labor in constructing batteries.<sup>10</sup>

On the other side a deep sentiment in favor of invading Mexico naturally existed. In April, 1842, a meeting at Galveston declared hotly for this policy, and Houston found it necessary to promise that he would do all in his power to promote the design at the first opportunity. He even addressed a minatory epistle to Santa Anna, threatening that the flag of Texas should float as far south as the Isthmus of Darien; and the Congress passed a bill authorizing offensive operations. Houston did not, however, desire to revive the war. As there were no funds for any army, Colonel Daingerfield visited New Orleans to raise a loan of \$1,000,000; but, in all likelihood not without the President's assent, he returned with an empty wallet. The opposition of the United States to an outbreak of hostilities no doubt had a good deal of influence on Houston; Jackson and Justice Catron of the United States Supreme Court expostulated with him; and finally he vetoed the bill. The Texan forces, however, advanced to the Rio Grande; and then, as the commander showed no enthusiasm for proceeding farther, a large part of his army seceded, crossed the river, and eventually, after performing most courageous deeds, were overpowered and captured at Mier by greatly superior numbers. This misfortune considerably impaired both the fighting strength of the nation and the prestige of the government.<sup>11</sup>

The condition of Texas at this time was indeed serious. In

<sup>10</sup> Yoakum, Texas, ii., 351, 364. Eve, No. 15, March 19, 1842.

<sup>11</sup> Jones, Letter: Niles, Jan. 1, 1848, p. 281. N. Orl. Com. Bull., May 7, 1842. Boston Adv., April 11, 1841. (H.'s desire) Elliot to Pak., April 14, 1843: F. O., Texas, vi. Yoakum, Texas, ii., 360, 362, 368-372. Catron to Jackson, March 9, 1845: Jackson Pap. (Vetoed) Nat. Intell., Aug. 10, 1842. Garrison, Texas, 247.

January, 1842, the Congress passed a law which brought the treasury notes down to only two per cent. of par,—virtual bankruptcy. The New Orleans *Courier* described the country at this time as without money, credit, a regular army or an able and popular general, threatened by Mexico and harassed by the Indians; and the same month Eve, the American representative, informed Webster that not a regular soldier was in the field; that the public resources were exhausted; that the population amounted to only seventy or seventy-five thousand; that great danger was to be apprehended from Santa Anna, now all powerful at Mexico; and in brief that Texas could not maintain her independence. On learning of the capture of San Antonio two months later, he added that the administration was “in a most deplorable condition,” and that excitement against the President for supposed military negligence ran high. In August he reported that the American volunteers, who had marched in to assist the feeble republic, had become dissatisfied with Houston and had left for home; and in November the London *Times* quoted an American paper as adding to this picture that such vessels as the Texas navy possessed were lying idle at New Orleans from lack of funds. About the same time the British minister stated that no adequate organization existed and no resources; that the government were not respected; and that, should the Mexicans really come as they were reported to intend, bad roads would be their principal difficulty. The Mobile *Advertiser* printed a Galveston letter dated November 3, which said, “We have a bankrupt Treasury, a feeble and imbecile Executive, and disunion and confusion everywhere existing. A crisis seems to be approaching, and, unless *foreign aid* should interpose in our behalf, we cannot but anticipate the most disastrous consequences. . . . It would be difficult to imagine a more critical and inauspicious state of things.” In December Houston’s Message to Congress admitted that the nation had neither currency nor public resources, nor even jails for its criminals; and Eve confided to Governor Letcher of Kentucky that all in western Texas were intensely hostile to the President, charging him with having left that whole region exposed to the enemy, and threatening to take his life should they be driven from their homes. January 15, 1843, a letter from Galveston, published at New Orleans, informed the world that distrust pervaded all classes, that there was no more money in trade than in the national treasury, that credit was equally wanting, that in case of serious invasion



assistance could be obtained nowhere, and that not a few were leaving the country in despair. The next month Eve reported that many accused Houston publicly of co-operating with the national enemy in order to become the dictator of Texas under Mexican authority, and added that Galveston did not possess enough ammunition to defend the city fifteen minutes against a respectable force. As for the navy, its commander disobeyed orders and was proclaimed an outlaw.<sup>12</sup>

San Antonio, much the largest and richest city, lay on the very frontier with not even a screen of population to protect it. Galveston was described a little later by a friendly visitor as containing about 300 buildings "which a bold person would or might call houses." Generally these were made of planks nailed on like clapboards, with a block about two feet high under each corner. Only one brick chimney could be found in the city. Even the dry-goods stores were usually in water or mud, and almost every house was surrounded with oozy prairie; while pigs, in most cases cropped of ears and tails by the dogs, roamed at will in the haphazard streets. In December, 1842, Eve found the President at the seat of government in a house of three small rooms without a single glass window; and the ministers of the United States and England, with four strangers, lodged at the tavern in one small room, which had no window at all. Indeed, Houston himself, though accustomed to a wigwam, described things at the capital as "rather raw."<sup>13</sup>

To sum up the situation, Van Zandt, the Texan chargé at Washington, explaining in March, 1843, why the commercial treaty which he had negotiated with the United States had not been accepted by our government, represented the Senators as saying in the debate upon it: "Texas is rent and torn by her own internal discords; she is without a dollar in her treasury; her numbers are small; her laws are set at defiance by her citizens; her officers, both civil and military, cannot have their orders executed or obeyed; Mexico is now threatening to invade her with a large land and naval force; she cannot long stand under such circumstances; the chances are against her. She will either have to submit to Mexico,

<sup>12</sup> (Bankruptcy) Von Holst, U. S., ii., 608. *Courier*, Jan. 22, 1842. Eve, Jan. 6; March 10; Aug. 22 (No. 23), 1842. *Times*, Nov. 1, 1842. Elliot, No. 11, Oct. 17, 1842. *Adv.: Nat. Intell.*, Nov. 18, 1842. (Message) *Niles*, lxvi., 18, 19. Eve to Letcher, Dec. 22, 1842: *Crit. Pap. N. Orl. Com. Bull.*, Jan. 21, 1843. Eve, No. 37, Feb. 10, 1843. (Navy) *N. Orl. Courier*, May 24, 1843.

<sup>13</sup> (S. Ant.) Smith, *Remin.*, 29. (Galv.) *Houstoun, Texas*, i., 255 *et seq.* Eve, No. 31, Dec. 10, 1842. Elliot, private, Nov. 15, 1842.

or come under some other power." Then the situation improved somewhat; but in the following October the secretary of the Texas legation at Washington proposed to resign in order to spare the national treasury the expense of his salary. In a word, as Anson Jones once remarked: "Texas was then a rich jewel lying *derelict* by the way."<sup>14</sup>

Santa Anna, now the master of whatever strength his country possessed, understood the condition of her lost province. During 1842 the Mexican consul at New Orleans forwarded to the ministry of foreign relations a steady stream of newspaper clippings, rich in details. In September Pakenham, the British representative at Mexico, reported that according to the general impression there entertained poverty and dissension had made Texas helpless. In February, 1843, he said the exulting government were so thoroughly satisfied of this fact that it would be useless to offer mediation; and at about the same time Almonte, the Mexican minister to the United States, informed a member of our Congress that at last his nation had strong hopes of reconquering its province. Unfortunately for Santa Anna, however, a war with rebellious Yucatan still dragged on, sapping the military and financial strength of the country; and evidently his best policy was to press that, conclude it as soon as possible, and improve the interim by adopting some plan to divide the Texans and to make his own people feel that he was not overlooking the matter.<sup>15</sup>

Circumstances now came to his aid. With other prisoners from Texas in the fortress of Perote lay Judge Robinson, formerly Lieutenant-Governor of that country. He found the confinement irksome; and, probably with no view save to escape from it, he addressed a letter to the dictator, proposing that Texas acknowledge the sovereignty of Mexico on certain terms; that an armistice be

<sup>14</sup> (Van Z.) Yoakum, Texas, ii., 394. Van Z., No. 109, Oct. 16, 1843. Smith, Remin., 46 (Smith states that in 1843 Texas was harmonious and prosperous, but of course he means that it was comparatively so). Jones, Memor., 80. The question arises whether, such being her condition, Texas had really established herself as a nation. But she had adequate potential strength to maintain her independence against Mexico,—to wit: the sympathy of great numbers in the United States and the possibility of making such terms with England regarding slavery and free trade as to secure effectual British aid. It may, however, be answered that nationality existing only by the aid of foreigners is not independence. But we date our national existence from 1776, yet only French assistance at a later date saved it; and Holland, Belgium and Denmark would soon be absorbed but for foreign support.

<sup>15</sup> Mexican Consul, N. Orl., *passim*: Sría. Relac. Pak., No. 89, Sept. 10, 1842; No. 8, Feb. 24, 1843. (Almonte) Yoakum, Texas, ii., 406. (S. Anna's aims) Thompson, Oct. 2, 1843; Smith, Remin., 59; to Smith, May 8, 1843; N. Orl. *Picayune*, April 27, 1843.

granted in order to facilitate a discussion of the plan in his country,—a discussion which he declared would lead to the unanimous acceptance of it; and that he and one or two of his comrades be made commissioners to present the case. Santa Anna sent for Robinson, satisfied himself that he would prove a good envoy—so very good, apparently, that the release of one or two of his comrades would be superfluous—and in February, 1843, despatched him to Texas with a proposition definitely drawn up and officially signed. In substance it included six points: Texas was to acknowledge the sovereignty of Mexico, become a Department, be represented in the national Congress, originate all her local laws and rules, be granted a general amnesty, and be exempt from the presence of Mexican troops. One other point of no less importance was involved but not stated. An acceptance of Mexican sovereignty meant the abolition of slavery, first, because the law of the land made slavery illegal, and secondly—according to the dictator—because an agreement with England forbade the toleration of it in any part of the country.<sup>16</sup>

Santa Anna admitted at this time, the American minister reported, that he had no expectation of favorable results from the negotiations thus initiated,—that is to say, direct results; but he counted so much on his proposition as the means of accomplishing what he had in view, that he invoked the good offices of England in its behalf. He also tried to recommend his terms to the Texan people by menacing that country. In April his Secretary of Foreign Relations notified the British chargé in effect that soon it was to be attacked in the most ruthless manner, and the chargé was sufficiently impressed to warn the British representative in Texas; and two months later a Mexican decree that recalled the atrocities of Goliad and the Alamo was issued, threatening immediate death to all foreigners taken in arms there.<sup>17</sup>

Houston, seeing a way to gain time, dictated now a confidential letter to Santa Anna—ostensibly written by the Judge—in which he represented himself as noncommittal regarding the proposed settlement, denied the existence of those factions in Texas upon

<sup>16</sup> (Robinson Lieut.-Gov. in 1835) Bancroft, *Pac. States*, xi., 372. Robinson to S. Anna, Jan. 9, 1843: State Dept., Arch. Tex. Legation, Yoakum, Texas, ii., 387. (Terms) Robinson to Galv. *Times*, March 27, 1843: *Nat. Intell.*, April 11, 1843. (Agreement) Thompson to Green, March 27, 1844: State Dept., Desps. from Mins., Mexico, xii.

<sup>17</sup> (S. Anna) Thompson: previous note. (Invoked) Pak., No. 21, March 23, 1843. Doyle to Elliot, April 20, 1843: F. O., Texas, xxiii. Decree, June 17, 1843: *ib.*, Mexico, clxii.

which the dictator had counted, and plausibly repeated the suggestion of an armistice. He also gave notice through the British representatives that he was disposed, in view of the Robinson terms, to send commissioners to Mexico, but that calm deliberation on the subject would be impossible while the danger of invasion continued; and then through the same channel the dictator signified his willingness to grant a truce. As the result, Houston proclaimed a suspension of hostilities on the fifteenth of June, setting a trap for Mexico by announcing that it should "continue during the pendency of negotiations between the two countries for peace." Santa Anna took a similar step regarding hostilities; but he would not accept Houston's language in reference to the duration of the truce, for obviously that would have enabled Texas to continue it at will by merely protracting the discussions, and he proposed to leave this matter to the military officers charged with arranging the details. Steps were then taken to perfect the armistice. Tornel, the Minister of War, gave his orders to General Woll on the seventh of July; before long commissioners were duly appointed on both sides; and those of Texas—Hockley and Williams—set out for Matamoros about the middle of October.<sup>18</sup>

But all this was a comedy. Not only did Santa Anna expect nothing as a direct result of the peace negotiations, but the other party were quite of the same mind. When the Robinson terms were made known, a paper of English proclivities—the *Galveston Civilian*—spoke favorably of them, but its voice could scarcely be heard amid the chorus of denunciation. Said its neighbor, the *Times*, "They will be, by every reflecting Texian, consigned to the contempt which alone they merit." Anson Jones, the Secretary of State, notified his minister at Washington that they were rejected by "one unanimous response from the whole country," saying further,

<sup>18</sup> Yoakum, Texas, ii., 388. Elliot to Pak, April 14, 1843: F. O., Texas, vi. It fell to Doyle to act for Pak. Doyle, No. 24, May 25, 1843. Id. to Elliot, May 27, 1843: F. O., Texas, xxiii. Elliot to Jones, June 10, 1843: ib., vi. Jones to Elliot, June 15, 1843: ib. Doyle, No. 51, July 30, 1843. Elliot to Jones, July 24, 1843: F. O., Texas, vi. (Tornel) Sen. Doc. 341, 28 Cong., 1 sess., 84. (Set out) Elliot, private, Oct. 10, 1843. It should be noted that there was a suspension of hostilities (which, to avoid confusion, will be termed the "truce") but that the formal armistice proposed did not come into effect because Texas would not accept the terms arranged by the commissioners. It should be noted also that a cessation of hostilities, suggested by Robinson, and demanded by Houston as a *sine qua non* of considering the Robinson proposition, was granted by Santa Anna because he was anxious to have that proposition considered, and not because England requested him to grant it. Doyle's despatch of May 25 shows that when he presented to Santa Anna Houston's view that a truce was an "indispensably necessary" preliminary, Santa Anna replied at once that such was his own opinion.

"Mexico must restore us our murdered thousands before we can ever *entertain* the proposition of being re-incorporated with that Government"; and Murphy, the American representative, reported that people and press almost without exception scorned the proposals. To all appearances, then, Judge Robinson's move signified nothing regarding a final settlement between the two countries. The danger of hostilities was merely suspended.<sup>19</sup>

Meanwhile Santa Anna continued to labor with Yucatan. In July negotiations began, and in December that Department returned to the Union on a basis of semi-independence analogous to the condition offered Texas. Evidently the Lone Star republic was now in a most critical situation. She had as good a title to independence as Mexico herself had possessed from 1821 to 1836, during which interval she had been treated as a sovereign power by all countries except Spain. Indeed Pakenham had said four years earlier: "The state of the question between this Country [Mexico] and Texas is precisely the same as was for a long time that of the question between Spain and this Country. . . . Reconquest is admitted to be impossible and yet a feeling of mistaken pride, foolishly called regard for the National Honour, deters the Government" from ending the war. It was evident that Mexico did not intend to recognize Texas, and did propose to distress and impoverish her citizens for an indefinite period by harassing raids, menaces of a formidable attack and, if possible, serious invasions. Such a state of things was almost intolerable. In March, 1843, Pakenham felt satisfied that all of the Texans who had anything to lose were tired of the alarms and uncertainties; and about the first of November Houston himself stated that the citizens were getting weary of their political condition, and were ready for almost any change,—almost any, he meant, except a return to Mexican domination.<sup>20</sup>

One conceivable resource was official American aid; but the door of annexation, as we shall find, had been closed; our settled rule to avoid entangling alliances precluded any other method of assistance; and the two countries appeared to be growing less and less friendly. Another possibility was the purchase of European support; and Texas appeared to be increasingly intimate with France

<sup>19</sup> *Galveston Civilian and Times: Nat. Intell.*, April 11, 1843. To Van Zandt, May 8, 1843. Murphy, No. 3, July 6, 1843.

<sup>20</sup> *México á través*, iv., 507. Pak. No. 45, June 3, 1839; No. 21, March 23, 1843. (Houston) Murphy, No. 11, Nov. 7, 1843. Von Holst (*U. S.*, ii., 623) admits that if matters went on as they were, Texas "would soon have to cast itself into the arms of the first power which opened them to it."

and England, particularly England, as presently will be discovered. There existed, however, a third alternative—quite compatible with the second—and this it is in place to consider here. Paradoxical though it may sound, the struggling republic, while very weak for defence, had great latent possibilities for aggression, and the condition of northern Mexico was extremely tempting. Already we have seen the strong Federalist sentiment which existed in that region and manifested itself in civil war; but that was only one phase of the matter.

In spite of two decrees of expulsion many old Spaniards had remained in this part of the country, and they showed a persistent unfriendliness toward the national authorities, while the debility and badness of the administration were in some respects peculiarly felt at so great a distance from the capital. Behind these facts, moreover, lay a strong centrifugal tendency inherent in the political character of the Spanish; and the logical consequences followed. Not long after the fall of Iturbide there was a movement for independence in Coahuila, Tamaulipas, Nuevo León and Texas, and these districts formed a Junta at Monterey to promote the design. In 1829 Pakenham, a keen observer, discovered that the great State of Jalisco had invited four other members of the confederation to form a league with it, and he believed this combination would be made with secession from the Union as one of its aims. Three years later he reported that should the civil war then raging continue, it was not improbable that Durango, Jalisco, Zacatecas, Coahuila, Tamaulipas, and San Luis Potosí would unite as an independent nation. In 1836 the *New Orleans Bee* published a letter written at Zacatecas in July, which stated that the northern parts of Mexico, including New Mexico and California, appeared to be in favor of forming a republic in alliance with Texas. The next year Pakenham expressed the opinion that an unsuccessful attempt to reconquer Texas would hasten the defection of other districts, and said the army should remain on guard at Matamoros in order to preserve the territory still held by Mexico. The wisdom of this judgment seemed to be proved by the fact that revolts of a serious nature broke out that year in San Luis Potosí and Sonora,—the latter having at its head the Comandante General,—followed during 1838 by similar outbreaks in various quarters. In November, 1838, Tampico began a rebellion which lasted for eight months; and in 1840 the British consul at that point represented the people

about him as likely to declare again for secession. In 1839, as we saw, the Federalists of northern Mexico endeavored to establish cordial relations with Texas, and certain of them soon afterwards proclaimed the Republic of Rio Grande. At about this time the British minister informed his government that the insurrection in Coahuila and Nuevo León had not yet been extinguished, remarking in explanation that the remote Departments obtained no advantage, but only harm, from their connection with Mexico, since they had to pay the troops employed to oppress them, even when there was no money to support courts of justice or repel the savages. Leclerc, who had visited Texas recently, stated in 1840 that without doubt a large part of the people in five Mexican Departments were disposed to unite with that country or form a new republic under her protection. In April, 1841, the New Orleans *Courier* said the news from Tampico and Matamoros indicated that all northern Mexico was going to secede; and, about the middle of the year, the New Orleans *Commercial Bulletin* remarked: "It would not be surprising if in a short while the Texas league included all the States between the Del Norte and the California Gulf." In Tamaulipas the war against the central power continued nearly three years, and although Arista, the government general, succeeded in beating the Federalist leader, it was charged against him later that he himself thought it possible to create a new republic out of the Departments bordering on the Rio Grande; while the editors of the New Orleans *Picayune* stated positively that he had corresponded with influential Texans regarding the accession of northeastern Mexico to their country, and anxiously desired to effect this. Moreover it should not be forgotten that intimate business relations were constantly drawing the two sides of the Rio Grande together. In August, 1844, it was estimated that about 16,500 Mexicans were interested more or less directly in this trade.<sup>21</sup>

<sup>21</sup> Ward to F. O., No. 15, Jan. 29, 1827; F. O., Mexico, xxxi. México á través, iv., 98. Pak., No. 83, Sept. 18, 1829; private, Aug. 30, 1832. *Bee*, Sept. 3, 1836. Pak., No. 30, July 26, 1837. Ashburnham to F. O., No. 9, May 1, 1837; No. 58, Nov. 7, 1837; No. 7, Jan. 31, 1838; No. 70, Sept. 13, 1838; No. 111, Dec. 31, 1838; F. O., Mexico, cvi., cviii., cxiii., cxv., cxvi. Pak., No. 52, June 22, 1839. Crawford to Pak., April 3, 1840; F. O., Mexico, cxxxv. (Rep. of Rio Gr.) N. Orl. *Com. Bull.*, March 12, 1840. Pak., No. 21, Feb. 9, 1840. *Revue des Deux Mondes*, April 15, 1840, p. 253. *Courier*, April 3, 1841. *Com. Bull.*: Boston *Adv.*, July 22, 1841. The Rio Grande was also called the Rio Bravo del Norte and, for short, the Bravo and the Del Norte. Pak., No. 100, Oct. 26, 1840. (Arista) Bank., No. 56, April 29, 1846; *Picayune*, Aug. 1, 1845; Polk, *Diary*, i., 230. A recent book says the people of northern Mexico desired to maintain a state of things on the border that would permit them to plunder the Texans. But the fact that parties of rancheros accom-

New Mexico, as the supposed attitude of not a few toward the Santa Fe expedition suggested, was discontented, even though the insurrection of 1837 had been quelled. The Californians maintained a state of chronic revolt. In 1837 Pakenham concluded that an understanding existed between them and Texas; and seven years later the British consul at Monterey, California, commenting upon "that spirit of hatred and antipathy toward Mexico and the Mexican Government," which he said had "always existed in the breasts of the Californians," declared that he found "but one universal sentiment of unqualified aversion to the continuance of Mexican Authority" there. In fact, the people rebelled that very year, drove out the national troops, and established a revolutionary government of their own. All northern Mexico was thus evidently in a state of disintegration; and the British consul at Tepic, after a long period of observation, formally expressed the judgment that the nation, if left to itself, was destined to break up into small tribes like those of Asia. The indications were, however, that matters would not be allowed to drift.<sup>22</sup>

✓ In April, 1844, the American chargé at Mexico informed Calhoun that a Mr. Hastings of Ohio,\* who had led a party to Oregon some two years before and had been in Mexico about the first of January, admitted that a well digested plan to follow the example of Texas existed in California, and that its promoters were only waiting for him to return with more settlers. Sonora was expected to join in the movement, and it was understood that for some time New Mexico had been on the eve of a revolution. It is hardly conceivable that all this was going on at their door without the knowledge of the Texan authorities; and in fact, when the success of the annexation project rendered a longer silence unnecessary, the *National Register* let it be known that a plan had been matured by many leading men in Tamaulipas, Chihuahua, Coahuila, Sonora and California to form a union with Texas. According to the New Orleans *Picayune*, this representation was stated to emanate from "the best authority."<sup>23</sup>

panied the Mexican troops on their raids across the line and occasionally did a little marauding on their own responsibility signifies practically nothing in view of the political sympathies, military co-operation and profitable commercial intercourse between the two sections. Reliable accounts agree, too, that what the great body of Mexicans on the Rio Grande principally desired was to enjoy peace under a settled government. (Estimated) Galveston *Civilian*, Aug. 31, 1844.

<sup>22</sup> Pak., No. 13, Feb. 14, 1837. Forbes to Barron, Sept. 5, 1844: F. O., Mexico, clxxix. Id. to Bank, July 2, 1846; ib., cxcviii.

<sup>23</sup> Green to Calhoun, April 11, 1844: Jameson, Calh. Corr., 945. *Nat. Register*: *Nat. Intell.*, Nov. 14, 1845. *Picayune*, Oct. 25, 1845.



So far, to be sure, the government of Texas had been very unwilling to attack Mexico, largely because she desired to legalize her existence by obtaining recognition from the mother-country; but whether the coveted boon were granted or persistently withheld, the deterrent power of this consideration was sure to disappear. There would then be left a crumbling political organization in a rich land, face to face with a people of extraordinary vitality and enterprise. In April, 1842, Henry A. Wise held up before the American House of Representatives a picture of Texas, guided by her own bright star, marching on to her enemy's capital. Webster looked upon such utterances as mere vain and senseless bravado; but in 1836 the Chief Justice of the Supreme Court of Tennessee had written to Jackson that, should the war in the Southwest continue for a twelve-month, forces from the Mississippi valley would take possession of Mexico City. With money, said the representative of Texas at Washington the same year, "we can muster an army of any size that may be necessary"; and until after our war with Mexico this continued to seem feasible. In 1842 the *Commercial Bulletin* of New Orleans advised Texas "to call to her standard the thousands of impatient, daring, and ambitious spirits in the South West, by whom a march to the city of Montezuma would be embraced as an adventure full of fun and frolic, and holding forth the rewards of opulence and glory." The British minister in Texas, who knew the South quite well, expressed the opinion that the men of that section, increasing in numbers and "almost entirely without steady occupation," were "unscrupulous, fearless and enterprising," and had "exaggerated notions of the wealth of Mexico." He believed that the project of a raid into the land of the Montezumas was extremely popular there, and that a little success, leading to a great eruption, might result in the permanent occupation of at least the northeastern parts; and he assured Pakenham that should Houston raise his voice for war, he would be followed in less than six months by twenty thousand riflemen from the States. Any one who has read the diaries and letters of the volunteers who marched into Mexico in 1846 and 1847, knows how large a place in their thoughts was held by sheer love of daring and a belief in the riches of that country. Precisely the same motives that impelled such men to join the armies of the United States in those years would have carried them across the Sabine in 1843, had the crusade of adventure, plunder, and revenge for Goliad and the Alamo been preached; and Houston,

instead of fearing that recruits would fall short in the event of hostilities, feared that his country would be overwhelmed by them. With such a backing and the support of the provinces willing to join her, Texas could probably—or at least very possibly—have forced Mexico to accept her terms.<sup>24</sup>

What could have stopped such a war? A policy of self-aggrandizement on the part of our youthful neighbor would have displeased the American government and many of our people; but it is not easy to see on what grounds we could have interfered consistently. From England the danger of interposition was perhaps greater. But England, though her interests prompted her to maintain good relations with Mexico, was continually obliged to complain of its government, and would have had reason to welcome even the conquest of that country by an allied and not too powerful nation. It would not have been difficult for Texas to give most satisfactory assurances regarding British interests there, hold out the inducement of free trade—with possibly that of abolition also—and offer her merchants a new route to the coast of Asia; and, with such arguments in favor of the crusade, England would not have been likely to check it.<sup>25</sup>

In short, then, Mexico—especially the remoter portions of it—had been falling steadily into chaos from the time of its first President; Santa Anna, the one man after Iturbide who seemed able to unite and upbuild the nation, had now—from essential defects of character, intellect and training—become an almost insurmountable stumbling-block in its path; and the country appeared to be swiftly going to ruin; while close at hand stood a people not only qualified to conquer and rule, but able to draw to their standard countless ambitious and enterprising young men from Europe and the southern States. Naturally it seemed to many that destiny called upon Texas to reach out for the sceptre. The opinion that a great

<sup>24</sup> (Wise) *Cong. Globe*, 27 Cong., 2 sess., 422. (Webster) Adams, *Memoirs*, xi., 347. Catron to Jackson, June 8, 1836; Jackson Pap. Wharton to Austin, Dec. 11, 1836; Tex. Dipl. Corr., i., 151. *Com. Bull.*, March 17, 1842. Elliot, No. 4, Jan. 28, 1843. Id. to Pak., April 14, 1843; F. O., Texas, vi. Houston to Jackson, Feb. 16, 1844; Williams, Houston, 280. Lord Ashburton told Henry Clay that England would sooner expect Texas to conquer Mexico than Mexico Texas (Reily, No. 83, April 14, 1842). In waging such a war no doubt the Texans would have encountered serious financial difficulties, but it would have been conducted in a very different manner from that of 1846-8. Money and provisions would have been taken from the enemy with an unsparing hand, and immense districts available for agriculture or mining could have been offered as pay for the troops or security for loans. There was a powder mill at Zacatecas, the author thinks, and Mexican mines produced large quantities of lead.

<sup>25</sup> (Complain) Pak. and Bank., Despatches, *passim*.

future was possible for her as an independent power had existed there from the first, it will be discovered. As conservative a man as Austin had advised that her territory be left undefined, with a view to the extension of it beyond the Rio Grande. From 1838 through 1841, said Anson Jones, a "vast majority" of the people were for offensive war, and in 1842, as we have observed, the sentiment favorable to such a policy was hotter yet. At that time, said the New Orleans *Commercial Bulletin*, the country was full of the idea of conquering Mexico, and her Congress actually voted to extend the national boundaries to the Pacific. Nor were the hopes of future greatness a mere dream of local pride. Leclerc, writing in the *Revue des Deux Mondes* in 1840, dwelt upon "the grandeur of the rôle" which he believed Texas was "destined" to play; and the British government predicted two years later that she was fated to be populous and powerful.<sup>26</sup>

<sup>26</sup> (Austin) Kennedy, *Texas*, ii., 170. Jones, Letter: *Niles*, Jan. 1, 1848. *Com. Bull.*, April 26, 1842. (*Pacific Nat. Intell.*, March 3, 1842. Houston vetoed this bill. *Revue des Deux Mondes*, March 1, 1840, p. 606. *To Pak.*, No. 26, July 1, 1842.

### III.

#### TEXAS AND THE UNITED STATES, 1836-1843.

THE relations of the United States and Texas that principally concern us are under five heads: the questions of recognition and annexation, official American action with reference to the Texan war of independence, and public sentiment in each country regarding the other.

In June, 1836, Joseph N. Bryan, writing from Nashville in the central State of Tennessee to Martin Van Buren, said that the sympathies of the public had been so roused by the cruelties of the Mexicans that the joy over the victory of San Jacinto was perhaps extravagant, and that all classes of the people there, "old and young, all," were for "a speedy acknowledgment of the Independence of Texas." This state of mind was obviously a logical corollary of the popular enthusiasm for Houston and his fellow-citizens; and at first it was manifested strongly by the people north as well as by those south of Tennessee.<sup>1</sup>

Only five days after the defeat of the Mexicans, Morris of Ohio presented in the Senate of the United States the suggestion of a meeting held at Cincinnati that Texas should be recognized, upon which King of Alabama expressed the opinion that such action would be premature. Senator Walker from Mississippi protested that the sun was not more certain to set than she to maintain her independence, and that Santa Anna's party, having overthrown the constitution and established a military despotism, were the true rebels; but finally, as King proposed and Morris consented, the request of the Cincinnati meeting was laid upon the table.<sup>2</sup>

Two weeks later Preston of South Carolina brought in a memorial from citizens of Pennsylvania making a similar request; but, while exhibiting deep sympathy with the Texans, he took the ground that Congress could not act upon the petition, and proposed to treat it in the same way. Webster and Buchanan, though evidently they shared the popular sentiment regarding the two parties in the

<sup>1</sup> See General Note, p. 1. Of course the history of the *acquisition* of Texas would begin with Adams's effort to buy it in 1825. Bryan, June 6, 1836: Van B. Pap.

<sup>2</sup> *Cong. Globe*, 24 Cong., 1 sess., 331.

struggle, agreed that the Senate must be firm for neutrality; and the memorial was disposed of as Preston desired.<sup>3</sup>

A week later, resolutions to the same effect from citizens of North Carolina were offered, and again Preston objected. Before voting for recognition, he said, he must be sure that Texas had a *de facto* government, and he deemed "a short waiting of events" necessary. When another week had passed, Walker presented the same request from residents of Mississippi. By this time news of Santa Anna's overthrow had arrived; and the Senator urged that in case it was true and a *de facto* government existed, the United States were bound on the principles followed before in such cases to recognize the new republic at once. Webster admitted that if Texas possessed such a government, it was "undoubtedly" the duty of this country to recognize it. Calhoun, while declaring for the measure, advised that official accounts of the Mexican defeat should be awaited. Brown objected that the effort to secure recognition for Texas was an effort to change radically the neutral and pacific character of the American government. Rives, urging the necessity of caution, asked that the resolutions go to the committee on foreign relations in order that the Senate might have the benefit of its views; and though Calhoun said his own mind had been made up "long ago" and he desired the opinion of no one else, it was so ordered. Memorials of the same tenor from New York, Pennsylvania, Mississippi, Kentucky and Connecticut were presented on that and succeeding days.<sup>4</sup>

Just at this time the Chief Justice of the supreme court of Tennessee, writing to Jackson, predicted that in case the war should continue, great numbers of American volunteers would carry the banner of the Lone Star into the enemy's country; then Mexico would appeal to England; and England, pursuing somewhat the same policy as in India, would gain control of Mexico, the Gulf and the mouth of the Mississippi. On the other hand, he argued, "If the Independence of Texas is recognized by our Government, then Texas can be controlled by us. This alone will end the war. We can coerce both sides to peace. Say to the Mexicans—Stand off! to the Texians—Hold in!" To this he added the remark, "If any member of Congress should vote against Texas Independence his

<sup>3</sup> (May 9) *Cong. Globe*, 24 Cong., 1 sess., 359.

<sup>4</sup> *Cong. Globe*, 24 Cong., 1 sess., 378, 393, 395, 396, 435, 438. As the Conn. resols. were not passed until May 27, it is a mistake to say—as has been said more than once—that they originated the movement for recognition. Other similar memorials came in later.

political prospects would be ruined." It can readily be supposed that Catron's last sentence throws light upon the course of the American Congress; and one can easily believe that his other ideas also may have presented themselves to the Senate committee on foreign relations.<sup>5</sup>

At all events, on June 18 Clay reported for that committee as follows: "The independence of Texas ought to be acknowledged by the United States, whenever satisfactory information shall be received that it has, in successful operation, a civil Government, capable of performing the duties and fulfilling the obligations of an independent power." About a week later, in response to a resolution of Preston's asking information regarding the condition of that country, President Jackson informed the Senate that measures to ascertain the facts had already been taken by the Executive, and at the same time submitted certain correspondence that had passed between him and its representatives.<sup>6</sup>

On the first day of July Clay's report was taken up. Webster, Buchanan and Niles expressed the opinion that the time for recognition had not yet arrived; Southard doubted whether the war had really come to an end; Benton—though anxious not to deprive New Orleans of business by incurring the ill-will of Mexico—declared that Mexico and Texas could not possibly live together, and that he was prepared to recognize "the contingent and expected independence" of the revolting state; and finally the resolution was unanimously adopted. The object of the Senate in going so far yet stopping short of actual recognition was, according to the *National Intelligencer*, to prevent the matter from "being pressed upon Congress in a more imperative form." In other words, one may understand, it aimed to diminish the urgency of public sentiment without incurring the risk of taking imprudent action.<sup>7</sup>

Jackson was represented by the Secretary of State in a conversation with the Texan envoys as desiring to recognize their country, but not until the step could be taken "with propriety," and a memorandum of his that may be found among the Van Buren papers indicates that anxious thought was given by him to the merits of the question. He felt, as did others, that her vote in favor of joining the United States had complicated a matter already difficult enough;

<sup>5</sup> Catron to Jackson, June 8, 1836: Jackson Pap.

<sup>6</sup> *Cong. Globe*, 24 Cong., 1 sess., 453. Richardson, Messages, iii., 230.

<sup>7</sup> *Cong. Globe*, 24 Cong., 1 sess., 479, and Benton's Abr. Debates for the day. Benton, Letter: Wash. *Globe*, May 2, 1844. *Nat. Intell.*, July 16, 1836.

and when the next session of Congress opened, he expressed himself in a Message substantially as follows: Our conduct regarding this war is to be governed by the same principles as guided us during the struggle of Spain with Mexico; it is natural that our citizens should feel a preference between the contending parties, and this fact must teach us great caution, lest our policy should be governed by partiality or prejudice; "our character requires that we should neither anticipate events nor attempt to control them," and this is the more necessary because "The known desire of the Texans to become a part of our system, although its gratification depends upon the reconciliation of various and conflicting interests, necessarily a work of time and uncertain in itself, is calculated to expose our conduct to misconstruction in the eyes of the world."<sup>8</sup>

On the twenty-first of December came another Message. No steps towards recognizing Texas have been taken by the Executive, stated the President. Our custom has been to regard these matters as questions of fact, and "our predecessors have cautiously abstained from deciding upon them until the clearest evidence was in their possession to enable them not only to decide correctly, but to shield their decisions from every unworthy imputation." In the case of the Spanish-American colonies we waited until the danger of re-subjugation "had entirely passed away." Unquestionably it is true that the Mexicans have been driven from Texas, but there is a great disparity of physical force in favor of their country, and consequently the issue is still in suspense. Recognition at this time, therefore, "could scarcely be regarded as consistent with that prudent reserve with which we have heretofore held ourselves bound to treat all similar questions." Moreover, special reasons for caution exist in the present instance, for Texas has been claimed as ours, and some of our citizens, reluctant to give up the claim, are anxious for reunion. A large proportion of the civilized inhabitants went from the United States, and the nation, after establishing a government like ours, has proposed to join us. Under these circumstances premature action might subject us to the imputation "of seeking to establish the claim of our neighbors to a territory with a view to its subsequent acquisition by ourselves;" and "Prudence, therefore, seems to dictate that we should still stand aloof and maintain our present attitude . . . at least until the lapse of time or the

<sup>8</sup> Envoys to Burnet, July 15, 1836: *Tex. Dipl. Corr.*, i., 110. The memo. is printed in *Tex. State Hist. Assoc. Qtrly.*, Jan., 1910, p. 248. Richardson, *Messages*, iii., 237.

course of events shall have proved beyond cavil or dispute the ability of the people of that country to maintain their separate sovereignty and to uphold the Government constituted by them." In such terms spoke the President, and his language was by no means intended merely for effect. The day after this Message was dated, the Texan envoy reported that Jackson was unwilling to grant recognition until some European power should have done so, feeling that there might appear to be a preconceived scheme to make her "a Competent contracting party" for the express purpose of then taking her; and the President would unbend only so far as to say that the preamble of a resolution passed by the House of Representatives intimated that the power to recognize a new state belonged to Congress, and that he was disposed to concur in this view.<sup>9</sup>

Naturally the agitators for the measure felt a good deal sobered, especially since Jackson was known to be a friend of the cause. January 11, 1837, however, the indefatigable Walker offered a resolution to the effect that, as Texas possessed a competent civil organization and there was no "reasonable prospect" of Mexico's prosecuting the war with success, it was "expedient and proper, and in perfect conformity with the laws of nations, and the practice of this Government in like cases, that the independent political existence of said State be acknowledged by the Government of the United States." Jackson had intimated that the fate of that country might be considered as depending on the outcome of a projected Mexican expedition under General Bravo; and Walker announced that according to advices from Vera Cruz this expedition had proved abortive. A more serious cause of delay, however, as the Texan envoy felt satisfied, was the fear of the Van Buren party that, should the independence of Texas be acknowledged, the subject of annexation would immediately be pressed, the Democrats would divide sectionally upon it in the approaching elections, and their leader—compelled to lose one wing or the other—would find his friends a minority in the next Congress. On this difficulty the abandonment of Bravo's enterprise had no bearing, and Walker's resolution was merely permitted to slumber on the table.<sup>10</sup>

About the middle of February he called it up and urged that immediate action be taken; but the Senate gave the preference to an

<sup>9</sup> Richardson, Messages, iii., 266. Wharton to Austin, Dec. 22, 1836: Tex. Dipl. Corr., i., 157.

<sup>10</sup> *Cong. Globe*, 24 Cong., 2 sess., 83. Wharton to Houston, Feb. 2, 1837: Tex. Dipl. Corr., i., 179.



army bill. Two weeks later he repeated his attempt, but again the subject was postponed. On the Kalends of March, however, he returned once more to the charge; and this time, despite the opposition of Buchanan, he carried his resolution by a vote of 23 to 19. As the figures indicate, the Senate was by no means full. According to the Mexican minister the advocates of the motion had entertained little or no hope of securing a victory; but at the evening session, observing that eight or nine of their opponents were absent—at a banquet, it was said—they exerted themselves to the utmost and triumphed. Silas Wright of New York then reported a bill making appropriations for the civil and diplomatic expenses of the government, and he himself moved to amend it by providing for a Secretary of Legation in Texas. This was agreed to; but when Walker proposed as a further amendment that a minister be actually sent to that country as soon as the President should receive satisfactory evidence of her independence, his motion failed by a vote of 16 to 21. The next day Wright's bill, as amended by himself, passed the Senate.<sup>11</sup>

In the House a move toward recognition was made at the end of April, 1836, and was voted down. During the last week of June Bell of Tennessee brought up the matter of providing a salary and outfit for an agent in Texas, whenever the President should deem it proper to send such a representative, and asked for a suspension of the rules in order that his proposition might be considered; but the subject was laid on the table by a vote of 135 to 56. July 2, however, notice was given by the committee on foreign affairs of an intention to report on the great question; and two days later it presented the resolution that had been offered by Clay's committee and adopted by the Senate. Adams moved to lay the matter on the table, but was defeated by a vote of 40 to 108. On the ground that no time to discuss the subject remained, the previous question was then ordered, and the resolution passed by a vote of more than six to one.<sup>12</sup>

In the next session of this Congress, the President's Message of December 21 was referred without opposition to the House committee on foreign affairs. About three weeks later Pickens inquired, on the floor when a report concerning the Texas affair

<sup>11</sup> Castillo to Relac., No. 37, March 9, 1837: Sria. Relac. *Cong. Globe*, 24 Cong., 2 sess., 175, 210, 214, 216. The vote on Walker's resolution was given in the *Cong. Globe* as 23-19, but only 22 names appear in the affirmative list. Six of these were from the North, and four of the Noes came from the South.

<sup>12</sup> *Cong. Globe*, 24 Cong., 1 sess., 338, 469, 483, 486.

would be ready, and Colonel Howard of Maryland, the chairman, replied that "almost undivided attention" had been given to the subject but as yet no conclusion had been reached. Near the end of January an attempt was made to instruct the committee to bring in a resolution acknowledging the independence of Texas, but this was blocked by adjourning. About a fortnight later, Waddy Thompson of South Carolina undertook to lay the matter before the full House sitting as a committee of the whole on the state of the Union; but a technicality tripped him. Finally on the eighteenth of February the committee reported, first, that the independence of Texas "ought to be recognised," and secondly, that a salary and outfit should be provided for "such public agent" as the President might "determine to send" there.<sup>13</sup>

Three days later this matter was reached in due order. Thompson and Pickens expressed great eagerness for the immediate consideration of it; but on the plea that other committees wished to report, it was laid upon the table. February 27, however, the bill for the civil and diplomatic expenses came up, and this Thompson moved to amend by inserting a provision for the salary and outfit of a diplomatic agent to be sent to the "independent republic of Texas." In supporting his proposition, Thompson said it was not his fault that so little time remained for discussing it, the attention of the House having been squandered on personal or local matters. Why has this question been so long postponed? he demanded; "Are gentlemen afraid of the argument? Are they afraid that a spontaneous burst of popular enthusiasm will force them to do that to which the cold, selfish, and sectional feelings of politicians are opposed?" Mason of Ohio replied that Texas was unable to maintain her national position without aid from the United States and did not really wish to be independent; that she had desired from the first to enter the Union; that her chief offices were filled by Americans; and that, at all events, the United States ought to confer with Mexico before recognizing her; and Thompson's amendment was lost by a vote of two to one. The next day, however, he renewed his attempt; but he then consented to omit the word "independent" and to add the qualification, "whenever the President of the United States may receive satisfactory evidence that Texas is an independent power, and shall deem it expedient to appoint such minister," and in this form his motion passed.<sup>14</sup>

<sup>13</sup> *Cong. Globe*, 24 Cong., 2 sess., 45, 96, 129, 181, 194.

<sup>14</sup> *Cong. Globe*, 24 Cong., 2 sess., 196, 211, 213. Benton, *Abr. Debates*, xiii., 325.

Both Houses of Congress had now acted in a sense rather inconsistent with the judicious policy recommended by the President within three months, and it is highly interesting—particularly in view of the hue-and-cry raised by the anti-slavery men—to inquire what reasons there were for such a course. Apparently it was quite open to censure.

Very good reasons existed. Toward the close of 1836 the Mexican minister had called for his passports, and before leaving the country had circulated among the diplomatic corps a pamphlet criticising in such a manner the government to which he had been accredited that it became a serious issue between the United States and his nation. Of course there was very great anxiety to know whether his action would be endorsed by his superiors; and about the middle of January, 1837, it was learned at Washington that according to the official *Diario* his conduct in this country had been approved. December 28, 1836, Ellis, our minister at Mexico, unable to obtain any satisfaction regarding the American claims, withdrew the legation, and therefore our government felt deeply injured not only in their dignity but in their interests. War appeared to be the only recourse, and a tender regard for the susceptibilities of Mexico seemed quite uncalled for. This, however, was but one element of the changed situation. A secret reason for postponing the recognition of Texas had been the hope of arranging matters through a treaty with Santa Anna, and that hope vanished in January or February, 1837. Ellis arrived at Washington bringing what seemed to be conclusive evidence that another invasion of Texas was not possible; while Santa Anna, the President of Mexico, made a virtual recognition of Texan independence—the only recognition that could be expected from that proud country for many years to come—by freely confessing before Jackson and the cabinet that his nation could not hold the rebellious province were they to conquer it in the field, and even announced that he strongly desired, as one step toward a definitive settlement with Texas, that the United States recognize her.<sup>15</sup>

<sup>15</sup> *Niles*, Nov. 19, 1836. (Pamphlet) Ex. Doc. 190, 25 Cong., 2 sess. Forsyth characterized the pamphlet as "defamatory." (Issue) Ex. Doc. 252, 25 Cong., 3 sess., pp. 15, 16. (*Diario*) Ellis, Dec. 9, 1836: Sen. Doc. 160, 24 Cong., 2 sess., 157. (Withdrawn) Id., Jan. 12, 1837: *ib.*, 169. Id. to Monasterio, Dec. 7, 1836: Ex. Doc. 139, 24 Cong., 2 sess., 60, etc. Id., No. 41, Dec. 14, 1836. (Reason) Wharton to Austin, Dec. 31, 1836: Tex. Dipl. Corr., i., 166. S. Anna was in Washington near the end of Jan., 1837 (*Niles*, Jan. 21, 1837). (Conclusive) Wharton to Houston, Feb. 2, 1837: Tex. Dipl. Corr., i., 179. (S. Anna) Wharton to Rusk, No. 9.

It was brought home to Jackson after his two Messages were sent in, that for want of American acknowledgment before the world Texan lands worth fully a dollar an acre could hardly be sold for half that price; and he, regretting the injury done that country by his action, however necessary the action might have been, intimated that he should take no offense were Congress to move now in the opposite direction. Moreover the President saw a new light—or rather a new darkness—in another quarter also; and, as he made it known to the House of Representatives, he probably did not conceal it from the Senate. "There is no doubt," he wrote to Howard, "if the Independence of Texas be not acknowledged by the U. States, an effort will be made by Texas to Great Britain to have the Independence of Texas acknowledged by her, giving & securing to Great Britain as a consideration, exclusive commercial benefits."<sup>16</sup>

Further still, Jackson asked for an interview with Howard, which suggests that he imparted something even more special. What this was, can only be surmised; but we know that an anti-slavery New Englander, Daniel Webster, had forewarned the government of European attempts to purchase Texas; we know that in July, 1836, Pakenham had notified the British Foreign Office of Mexico's desire to have Great Britain own that territory; we know that a move to effect the transfer was undertaken in the Mexican Congress during March, 1837, and almost certainly must have been preceded by a rather long period of talk; we know that the American consul in Mexico was soon writing about the matter; and we know that Ellis, quite sure to be informed of it earlier than the consul, had arrived at Washington by the date on which Jackson asked for this interview. Now if there was thought to be even a possibility of such a transfer, the immediate acknowledgment of Texan independence was a natural and proper counterstroke.<sup>17</sup>

At all events, whether England was bargaining for the territory undated: *ib.*, 187 (193). In Feb., 1837, the President formally recommended reprisals against Mexico, and a little later the House of Representatives expressed the opinion that amicable relations with that country did not exist and could not, without a sacrifice of the national honor, be restored by sending a minister to it (*Ho. Report 1056, 25 Cong., 2 sess.*).

<sup>16</sup> (No offense) Wharton to Austin, Jan. 6, 1837: *Tex. Dipl. Corr.*, i., 168. Jackson to Howard, Feb. 2, 1837: Jackson Pap.

<sup>17</sup> Jackson to Howard (note 16). (*Webster*) *Abr. Debates*, xii., 763. *Pak.*, No. 48, July 1, 1836. (*Congress*) Parrott to State Dept., July 29, 1837: *Con. Letters, Mexico*, ix. (*Consul*) Jones to State Dept., March 28, 1837: *Tex. Dipl. Corr.*, i., 212. (*Arrived*) cf. Jackson to Howard with Ellis to State Dept., Jan. 12, 1837 (Note 15).

or not, Texas was evidently in sore straits; and the danger was apparently real and pressing that if coldly repulsed by the United States, she would not only buy European assistance with commercial arrangements injurious to American business interests, but would so entangle herself in foreign relations as to render her annexation to our country extremely difficult, if not practically impossible, at any future time. Besides, Van Buren had been told in plain terms that since it rested with him to ensure or prevent recognition at the session of Congress then proceeding, should the measure be defeated he would lose the support of the entire South; and in all probability he exerted himself at the White House and at the Capitol to avert so dire a calamity. Such, then, were the circumstances, and it is not at all surprising that Congress acted as it did. The sole condition of acknowledgment regarded as necessary by Webster and Clay, by the Senate committee on foreign relations and by the Senate as a body, was evidence that a competent government existed in Texas; in the opinion of many persons—justified by later history—such evidence was at hand; and revolutionary governments have usually, or at least often, been recognized before absolute proof of this fact could be given. The claim of Mexico was virtually relinquished by her President. Disregard of her feelings appeared to be made excusable by her course toward the United States; and certain elements of the situation seemed not only to authorize but really to demand immediate action. Finally, it should be remembered that while Mexico was recognized about seven months after her revolutionary troops entered the capital, our acknowledgment of Texan independence was deferred until more than ten months had elapsed after the power of the mother-country in the province had been demolished and her President captured.<sup>18</sup>

According to Anson Jones, a little later Texan minister to the United States, the President was "very reluctant" to recognize Texas at this time, and no doubt he did shrink from appearing to change his attitude so soon. To the last he positively refused to

<sup>18</sup> (Van B.) Wharton to Rusk, Feb. 12, 1837: *Tex. Dipl. Corr.*, i., 184. Webster (to Thompson, July 8, 1842: *Ex. Doc.* 266, 27 Cong., 2 sess., 7) declared that the independence of Texas was recognized "only when that independence was an apparent and an ascertained fact." The point has been made that Jackson had no time to "receive satisfactory evidence" of the condition of Texas between Feb. 28 and the night of March 3. To this it may be answered (1) that he had time for conference with numerous persons well informed on the matter, and it was for him to decide whether their testimony was "satisfactory evidence"; and (2) that the real requirement was that he should be in possession of such evidence before acting. Iturbide entered Mexico Sept. 27, 1821. Monroe declared for recognition, March 8, 1822; the House, March 28; the Senate, April 30.

send in a Message embodying his new convictions, but he admitted that his opinion regarding the propriety of action had changed, and on the final day of his term he addressed the Senate. Both Houses, he said, have inserted in the general appropriation laws (as the result of repeated discussions regarding Texas) a provision for the salary and outfit of a diplomatic agent, who is to be sent to that country whenever the Executive is satisfied of her independence and deems it expedient to appoint such a minister; and the Senate, the constitutional advisers of the President, have expressed the opinion that it is now expedient and proper to acknowledge the independence of this young republic. "Regarding these proceedings as a virtual decision of the question submitted by me to Congress, I think it my duty to acquiesce therein, and therefore I nominate Alcée La Branche of Louisiana, to be Chargé d'Affaires to the Republic of Texas." Having thus committed himself, at a little before midnight he completed the work by sending for the Texan envoys to have a glass of wine with him, and by causing them—reported the Mexican minister—to be invited like other members of the diplomatic body to the ceremonies of inauguration day.<sup>19</sup>

These are the facts. In consequence, all the violent denunciations of Jackson as insincere and crafty, based upon his change of attitude between December 21 and March 3, seem quite unfounded; and, in view of the repeated efforts of the friends of Texas in both Senate and House to bring up the question of acknowledging her independence for full discussion and a deliberate verdict, one is surprised to find thirteen members of our national legislature declaring that she had been recognized "by a snap vote, at the heel of a session of Congress," as if that body had fallen victim to a conspiracy and a trick. No doubt Walker took advantage of his opponents' blunder; but that is customary in legislative bodies, and the manner in which they had endeavored—it would seem—to prevent the matter from receiving fair consideration, justified him still further. Besides, his proposition had been before the Senate a long

<sup>19</sup> Jones, Memor., 79. (Refused) Wharton and Hunt to Rusk, Feb. 20, 1837: Tex. Dipl. Corr., i., 197; and the fact that he sent no such message. Richardson, Messages, iii., 281. Wharton to Hend., March 5, 1837: Tex. Dipl. Corr., i., 201. (Inv.) Castillo to Relac., No. 37, March 9, 1837: Sria. Relac. The Senate adjourned without acting on the nomination of La Branche, but he was confirmed later. His instructions were of the conventional sort. It has been objected (Von Holst, U. S., ii., 591) that at this time it was not yet *certain* that Texas would be able to perform the duties of an independent state; but the same was true of the U. S. in 1778 and of the Spanish-American republics when we recognized them, and evidently must often be true in such cases.

time, and the debate on it began in the afternoon, so that every one had a full warning.<sup>20</sup>

Recognition, however, in the minds of many was only a prelude to annexation. In November, 1836, after Texas had voted in favor of joining the United States, Wharton, her minister at Washington, was directed to make an effort in behalf of that project. The next month Henderson, acting for the time as Texan Secretary of State, wrote that unless the Union would accept the offer, commercial arrangements with England or some other European power might be made, "which would forever and entirely preclude the people of the United States"—particularly those of the North—from finding any profit in Texan business; while also, by suggesting that a joint resolution of the American Congress could admit his country, he pointed the way to the method finally adopted. Accordingly, Wharton and Hunt addressed to Jackson an affecting appeal in favor of the project. But in addition to embarrassments caused by sectional differences in Congress, Forsyth, our Secretary of State, believed that annexation ought to be the work of "a Northern President," and nothing beyond recognition could be gained at that time. Possibly in consequence of this failure, Hunt then suggested that an acknowledgment of their country be purchased from England with commercial concessions, expressing the opinion that success in this manoeuvre, added to the ardent interest of the South, would ensure acceptance by the United States; and Henderson was appointed envoy to England and France in the following June. The next month Hunt was able to report that this movement had aroused fresh ardor among the friends of Texas, and to intimate that President Van Buren himself was likely to favor the cause. Probably, too, he believed that in view of the Southern disposition to secure the coveted territory even at the cost of disunion the administration would hardly venture, whatever might be its preference, to stand in the way; and finally, thus encouraged, he presented to our Secretary of State on the fourth of August, 1837, a formal proposition for the adoption of his country.<sup>21</sup>

<sup>20</sup> (Thirteen) *Detroit Daily Adv.*, May 15, 1843, and other newspapers.

<sup>21</sup> Austin to Wharton, Nov. 18, 1836: *Tex. Dipl. Corr.*, i., 127. Hend. to Hunt, Dec. 31, 1836: *ib.*, 161. Wharton and Hunt to Jackson, March 3, 1837: *Jackson Pap.* (Forsyth) Wharton to Austin, Jan. 6, 1837: *Tex. Dipl. Corr.*, i., 168. Hunt to Hend., April 15, 1837: *ib.*, 208. (Apptd.) Irion to Hend., June 25, 1837: *Tex. Dipl. Corr.*, ii., 808. Hunt to *Tex. Sec. State*, July 11; (disunion) Aug. 4, 1837: *Tex. Dipl. Corr.*, i., 235, 245. *Id.* to Forsyth, Aug. 4, 1837: *Ex. Doc.* 40, 25 Cong., 1 sess., 2.

Meantime the subject made its appearance in the American Congress. One day after the battle of San Jacinto was fought, Walker set the ball in motion by suggesting that the rebellious province be purchased. A month later Calhoun announced that he stood for annexation as well as recognition, declaring that the slave States were greatly interested to prevent Texas from having the power to annoy them, and that for the shipping and manufacturing interests of the East the acquisition of that country was no less desirable. In July, on the other hand, Benton took the position that to consider as yet the admission of Texas would be "to treat her with disrespect, to embroil ourselves with Mexico, to compromise the disinterestedness of our motives in the eyes of Europe, and to start among ourselves prematurely, and without reason, a question, which, whenever it should come, could not be without its own intrinsic difficulties and perplexities"; and, up to the time when annexation was formally proposed by the Texan representative, no definite move was made in either House; while President Jackson, though doubtless keenly desirous of acquiring the territory, would not lift a hand.<sup>22</sup>

In his application, Hunt gave a brief history of Texan affairs from the first stages of American colonization, and asked for annexation on the grounds that his fellow-countrymen were of the same blood as the citizens of the United States, possessed the same liberties, entertained the same devout reverence for the constitution, were quite worthy to become a part of the American people, and could add to our national power and wealth resources of immense value. As a member of the Union, Texas could also aid to protect the western frontier of the United States and assure us the control of the Gulf; while, were she to remain independent, she would become a formidable rival, and on account of tariffs and the very similarity of the two peoples and their institutions, would very possibly come to be involved in difficulties and collisions with the neighboring States.<sup>23</sup>

To this argument Forsyth replied three weeks later that the President had read Hunt's paper with "just sensibility" but without assenting to his proposal. With the historical aspects of the matter the American government could not properly concern themselves, he remarked, since acknowledgment had reference only to an

<sup>22</sup> *Cong. Globe*, 24 Cong., 1 sess., 378, 394, 479. For Benton's remarks see his *Abr. Debates*, July 1, 1836. (Jackson) *Wise, Decades*, 152; *Jones, Memor.*, 81.

<sup>23</sup> Hunt to Forsyth, Aug. 4, 1837: *Ex. Doc.* 40, 25 Cong., 1 sess., 2.



issue of fact, not to one of right; while as regarded the incorporation of Texas in the United States, the President deemed it inexpedient to raise the questions whether the organic law contemplated the annexation of an independent state, and if so "in what manner" it should be accomplished. Furthermore, this country was bound to Mexico by a treaty of amity, which would be "scrupulously observed" so long as hope remained that the other party would pursue a similar course; and the government might be suspected of a disregard of the friendly purposes of this compact, "if the overtures of General Hunt were to be even reserved for future consideration, as this would imply a disposition on our part to espouse the quarrel of Texas with Mexico, a disposition wholly at variance with the spirit of the treaty, with the uniform policy and obvious welfare of the United States." Hunt rejoined by urging that, if the United States could rightfully have bought Texas, as they had endeavored to do, from a revolutionary government not yet acknowledged by the parent nation, they could now rightfully annex it, intimating that the commercial policy of his country would become unfavorable to the United States, and hinting that she might find England and France deeply interested in her fortunes; but his arguments appeared to produce no effect whatever.<sup>24</sup>

Precisely what considerations actuated Van Buren's administration were clearly and no doubt with substantial accuracy explained by Hunt. The American government, including the President himself, desire to receive Texas, he wrote; "But hampered as they are by their party trammels on the one hand, and their treaty obligations with Mexico on the other, by the furious opposition of all the free States, by the fear of incurring the charge of false dealings and injustice, and of involving this country in a war, in which they are now doubtful whether they would even be supported by a majority of their own citizens, and which would be at once branded by their enemies at home and abroad as an unjust war, instigated for the very purpose of gaining possession of Texas and for no other, they dare not and will not come out openly for the measure, so long as the relative position of the three parties [the United States, Mexico and Texas] continues the same as it is at present"; while many, even among the friends of annexation, dread to bring on—by raising this issue—a life-and-death struggle between North and South, involving as it would "the probability of

<sup>24</sup> Forsyth to Hunt, Aug. 25, 1837: Ex. Doc. 40, 25 Cong., 1 sess., 11. Reply, Sept. 12, 1837: *ib.*, 14.

a dissolution" of the Union. It was therefore useless, Hunt concluded, and it would be derogatory to his country, to urge the proposition further. By February, 1838, however, a flurry of hope sprang up. The prospect of a treaty between Texas and England, which might create international relations incompatible with annexation, alarmed Van Buren, and Calhoun thought the measure might pass at once. But the hope soon faded, and Forsyth evidently took the ground that, as he stated a few months later, the Texan proposition had been "disposed of."<sup>25</sup>

The executive department, however, was not the only one concerned in this matter, and the twenty-fifth Congress was kept very warm by it. Calhoun threw down the gauntlet in December, 1837, by offering a resolution which affirmed the just and constitutional right of the South and West to extend their limits or increase their population without regard to the effect of that course upon slavery; but Preston succeeded in laying this resolution upon the table in order to clear a way for a more direct issue presented by himself (January 4, 1838), which was a definite resolution in favor of re-annexing Texas whenever that could be done "consistently with the public faith and treaty stipulations of the United States" and without disturbing the harmony subsisting between this country and Mexico.<sup>26</sup>

But by this time the general enthusiasm for the brave freemen struggling against a horde of cruel oppressors had greatly abated here. One illustration will suffice. President Burnet was from Newark, New Jersey, and in April and May, 1836, the *Daily Advertiser* of that city expressed much sympathy for his nation; but in October it permitted its readers to see that great disorder and confusion reigned beyond the Sabine, and a few weeks later it referred to Texas as a "Quasi Republic." Nor was there merely a subsidence of feeling. In view of the certainty that annexation would be urged, people had to think; and even in South Carolina the Executive and House agreed that until the war should end, this question ought not even to be entertained by the American Congress. In the North Governor McDuffie's arguments had no less weight than at home, and they were supplemented by others not inferior in strength. As early as September, 1836, the correspondent of the London *Times* reported that the eastern and

<sup>25</sup> Hunt to Irion, Jan. 31; Feb. 3, 1838: *Tex. Dipl. Corr.*, i., 284, 290. Forsyth to Van B., May 30, 1838: *Ex. Doc.* 409, 25 Cong., 2 sess.

<sup>26</sup> *Cong. Globe*, 25 Cong., 2 sess., 55, 76, 96, 98; *App.*, 108, 555, 556.

middle States were "warmly opposed" to the idea of annexation because it involved the slavery issue; and the *Advertiser* of Albany, New York, declared that the project would raise a storm in the North, of which "murmurings were already heard." This feeling was no doubt much intensified by the imprudent course of many newspapers—even leading ones—in the South. A dissolution of the Union was boldly threatened as the alternative of accepting Texas; and boasts were made that Northern domination would come to an end, were that extension of the national area secured. Language like this, as the Texan minister himself pointed out, was calculated to drive the free States into an inveterate hostility to the admission of his country; and probably the average common sense of moderate and conservative Northerners, while avoiding that extreme, settled down to about the opinion expressed by the *National Intelligencer*, that annexation was perhaps inevitable but would certainly be an evil. Such a mood was by no means favorable.<sup>27</sup>

Moreover many in that section were not satisfied with passive resistance, and not a few bestirred themselves mightily. In June, 1837, the American Anti-Slavery Society circulated petitions and invited signatures with great activity. Texas, it protested, would make six or eight States as large as Kentucky; the annexation of it would therefore enable the South to dominate the nation and take away the rights of petition, free speech and the like; the North would probably not submit; and a dissolution of the federal bond might be the consequence. Philanthropy, Anglo-Saxon devotion to liberty and American love of the Union were supplemented, too, by the fact that Southern domination might result in the overthrow of the protective tariff, the crippling of Northern manufacturers, and serious injury to the Northern shipping business. A combination like this—the slavery question, the rights of petition and free speech, the tariff and the rest—was a mighty force. Petitions, memorials and resolutions poured in upon Congress in such numbers that the chairman of the House committee on foreign affairs described those in his own keeping as measurable "by cubic feet." Garrison's *Liberator* declared that at a single session of Congress more than 600,000 signatures appeared, "it was said," in the adverse papers. Eight States presented themselves in formal protest. Vermont

<sup>27</sup> *Daily Adv.*, Oct. 1; Nov. 14, 1836. (McDuffie) *Boston Daily Adv.*, Dec. 10, 1836. (House) *Amer. Hist. Rev.*, Oct., 1904, p. 84. *Times*, Oct. 13; Dec. 20 (Alb. *Adv.*), 1836. Wharton to Austin, Dec. 11, 1836: *Tex. Dipl. Corr.*, i., 151. *Nat. Intell.*, July 16, 1836.

feared that the proposed annexation would give the slaveholding interest such weight that probably soon the Union would be dissolved or the free section degraded. Rhode Island said that a new compact would be necessary for the incorporation of Texas, and that any attempt to bring in this alien territory would be looked upon by the freemen of the country as manifesting a willingness to destroy the constitution. Massachusetts insisted that only the people themselves could admit a foreign nation, and that any action taken by the government for such a purpose would be null and void. When Alabama passed resolutions in the opposite sense, Ohio and Michigan protested against them. Meanwhile those newspapers in the North which adopted similar views kept up a fierce clamor. "The whole nation," said a prominent member of Congress, "was in a state of agitation, working like a troubled sea." Under such circumstances and with such dangers threatening to follow the enactment of an annexation law, nothing in that direction could be accomplished. Preston's resolution was laid on the table about the middle of June by a vote of 24 to 14; and a similar one offered in the House by Waddy Thompson was smothered by John Quincy Adams, who consumed the morning hour from June 16 until the close of the session was near at hand with a three-weeks address. Doubtless many of the friends of annexation, astonished and dismayed by the strength of the enemy, now gave up in despair. Even the abolitionists felt satisfied that a final victory had been won; and in a few months Texas formally withdrew from the door of the United States (October 12, 1838).<sup>28</sup>

This rebuff, on the one hand official and on the other popular, could not fail to awaken her resentment, and there were circumstances tending to magnify its effect. Probably every thoughtful Texan could see advantages in remaining independent. As their dread of another Mexican attack wore off, the people began to realize—the British consul at Matamoros learned—that they and the Americans were naturally competitors, and began to calculate the profits of a direct commerce, impeded by no high tariff, with

<sup>28</sup> *Daily Georgian*, Sept. 5, 1840. (Chairman) *Cong. Globe*, 25 Cong., 2 sess., 453. *Lib.*, March 7, 1845. Ex. Docs., 25 Cong., 2 sess., Nos. 55, 182, 196, 211, 373, etc. (Protest) *Lib.*, March 14, 1845. *Cong. Globe*, 25 Cong., 2 sess., 443. See also Ho. Journal. (Satisfied) *Lib.*, March 7, 1845. Jones to Vail, Oct. 12, 1838: State Dept., Notes from Tex. Legation, i. (cf. Irion to Hunt, May 19, 1838: Tex. Dipl. Corr., i., 329). The reason for the withdrawal was that the pendency of the proposition had an unfavorable effect upon negotiations with other powers, and placed Texas in an undignified posture before the world. (See Jones, Memor., 65: *Niles*, xlix., 161.)

foreign nations. Only two months after they declared for annexation by an overwhelming majority, their Secretary of State informed Wharton, the envoy to the United States, in certain "Private and Special instructions," that many were thought to have voted in that sense on account of sentimental considerations and "the peculiar circumstances of the times," rather than "mature reflection, on the future glory, interest and prosperity of Texas." "Should our affairs," continued the Secretary, "assume a more favorable aspect by a termination of the war, and a treaty with Mexico, and by the manifestation of a friendly disposition towards us by England and France, it will have a powerful influence on public opinion; and in all probability decide it in favor of remaining independent." That such a course would be expedient many friends of Texas in the United States felt sure, and they strongly advised her, instead of coming into the Union and suffering from the protective tariff and the anti-slavery agitation, to stay outside, acquire the best parts of Mexico and become a great nation. At the end of 1837 the Texan Secretary of State expressed the opinion that probably, were the question of annexation to be laid before the people at the next election, a majority would vote in the negative. Frédéric Leclerc, who seems to have obtained his information on the ground, attributed a part of Houston's unpopularity at this period to his wish—resulting doubtless from the apparent impossibility of maintaining a national position—to join the United States; and a test of public sentiment in the autumn of 1838 tended to confirm this opinion, for Lamar, who desired that his country enjoy an unrestricted trade with all quarters, was chosen President. In his inaugural address the new chief magistrate declared strongly against annexation; a nearly unanimous vote of the Congress appeared to sustain him; and the nation as a whole seemed willing to acquiesce. The next year a prominent Englishman, who visited New Orleans and talked with a number of persons from Texas, reported that Mexico was no longer feared there, and that "all desire of admission into the American Union" had "ceased."<sup>29</sup>

<sup>29</sup> (Consul) Crawford to Pak., May 26, 1837: F. O., Mexico, cvi. Austin to Wharton, Nov. 18, 1836: Tex. Dipl. Corr., i., 135. (Friends) Wharton to Austin, Dec. 11, 1836: ib., 151. Irion to Hunt, Dec. 31, 1837: ib., 277. (This expression of opinion may have been made for effect upon the U. S. government, but there is no reason to doubt its substantial sincerity.) (Leclerc) *Rev. des Deux. Mondes*, April 15, 1840, p. 246. (Lamar's policy) Public letter, Galveston News, Nov. 22, 1845. Lamar, Inaug. Address. (Congress, nation) Jones, Letter: *Niles*, Jan. 1, 1848, p. 281. Buckingham, Slave States, i., 1, 378, 379.

Little by little, however, filial sentiment revived in the country as the people forgot how their overture had been received; and when Texas found herself, early in 1842, weak and disorganized at home and threatened by the consolidated power of Mexico, she turned again toward the United States. In January the chargé at Washington was instructed to study the sentiment of Congress and the people, and to ascertain what probability existed that our government would favor annexation. When Van Zandt succeeded Reily, he was referred in this matter to the instructions of his predecessor and carefully followed them. But nothing came of these moves, nor was any step taken upon the American side. In November, 1841, the *Natchez Free Trader* said it had reason to believe that a proposition would be brought forward at the next session of Congress by a distinguished gentleman, presumably Senator Walker; and the *New York Courier and Enquirer* revealed at about the same time "the cloven foot of the devil . . . in all its hideous deformity," as the *Liberator* announced, by uttering a similar hint; but apparently the distinguished gentleman received no encouragement, and certainly nothing was done. Texas then began to revive in strength and hope, and probably, finding that so little was to be gained by courting our favor, her government decided to resume the system of exciting our jealousy. In February, 1843, Secretary of State Jones informed the chargé at Washington that the United States must "take some step in the matter, of so decided a character as would open wide the door," before Texas could authorize a treaty of annexation; and on the sixth of the following July Van Zandt was instructed to pursue the subject no farther.<sup>80</sup>

In other respects as well as in regard to this question the American government appeared rather less than kind. We did indeed maintain stoutly, in opposition to the arguments of Mexico, that Texas was an independent nation, but in a sense consistency required this after we had recognized the country; and we protested vigorously against predatory and barbarous operations on the part of her enemy, but the same remonstrance was delivered to herself. So far as concerned mediation we stood perfectly aloof. In

<sup>80</sup> (Revived) Sheridan to Ganaway, July 12, 1840: F. O., Texas, i. To Reily, Jan. 20, 1842 (printed): ib., xiv. Jones (Memor., 81) says that Reily was authorized at the beginning of 1842 to inform Tyler verbally that Houston favored annexation. To Van Z., July 26, 1842. Van Z., No. 93, Dec. 23, 1842. (See also Houston's account in his letter to citizens, Oct., 1845: F. O., Texas, xiv.) *Free Trader*, Nov. 6, 1841. *Lib.*, Dec. 31, 1841. To Van Zandt, Feb. 10, 1843 (printed): F. O., Texas, xiv. To Id., July 6, 1843.

September, 1836, replying to a letter from Santa Anna, President Jackson said that the United States would not interfere in the conflict unless Mexico should signify her willingness to accept our good offices; and this position was restated several times in succeeding years. So scrupulous was our impartiality, that our minister at Mexico was rebuked for advancing money to needy Texan prisoners in that capital; and we declined to join in a proposed triple mediation between the contending parties. After much urgency on the part of Texas, a commercial treaty with that country was negotiated in 1842; but the Senate of the United States rejected it, and according to Webster the chief cause of this action was a very unpleasant feeling against our neighbors growing out of their alleged failure to be honest. Furthermore it was believed on the other side of the line that Americans who had committed an outrage upon a Texan custom-house were protected by an officer of the United States; and a party of Texan soldiers occupying ground that was claimed by their country were disarmed by troops of ours.<sup>31</sup>

Public sentiment in the United States, as the years passed on, seemed little kinder than the government. In Mississippi the project of bringing the long desired territory within the pale was never lost sight of; but elsewhere the matter appeared to be forgotten, and—with the further exception of New Orleans, the commercial centre of Texas—that country wellnigh ceased to be heard of among us. Astonishing indeed seem the evidences of this neglect as one studies, day by day and column by column, the newspapers of all political tones and in all the States for 1840, 1841 and 1842. The *Savannah Republican* of 1841, for instance, in a file lacking but six numbers, contains only half-a-dozen news items touching that portion of the earth's crust. The *Charleston Courier* for 1840 hardly alluded to Texas, and mentioned it but very little in 1841 and 1842. The *Richmond Enquirer*, afterwards noted as perhaps the foremost advocate of annexation among the newspapers, was almost silent about the trans-Sabine territory during 1840 and 1841. The *Advertiser* of Newark, New Jersey, contained four pieces relating

<sup>31</sup> To Thompson, July 8, 1842 (note 18). To Eve, No. 24, March 17, 1843: State Dept., Instrs. to Mins., Texas, i. (Remonstrance) Eve to Jones, April 13, 1843: Tex. Dipl. Corr., ii., 163. Jackson to Santa Anna, Sept. 4, 1836: Doc. 84, 24 Cong., 2 sess.; Forsyth to Dunlap, July 17, 1839: State Dept., Notes to Texas Leg., vi.; Id. to Bee, May 4, 1840: ib.; to Thompson, No. 9, June 22, 1842. (Money) F. Webster to Thompson, No. 17, Sept. 5, 1842. (Mediation) Van Z. to Webster, Jan. 24, 1843: State Dept., Notes from Tex. Leg., i.; to Thompson, No. 26, Jan. 31, 1843. (Treaty) Tex. Dipl. Corr., i., 576, 614 (Webster). (Outrages) Sen. Doc. 1, 28 Cong., 2 sess., pp. 92, 93, 97, 101, 104, 109.

to it in 1840, and thirteen in 1841. A complete file of the *Boston Advertiser* for 1841, minus a single issue, shows four mentions, and that for 1842 shows eighteen, mainly referring to the Sante Fe and Mier expeditions and the threatened Mexican invasion; while the *Boston Atlas* of 1843, equally complete, alluded to Texas only six more times than it alluded to Yucatan and Campeche. Nor should it be forgotten that two of the three principal matters which caused the country to be mentioned were not such as to enhance its reputation. "The first step that led to the injury of the fame of Texas," wrote Jackson, "was that foolish campaign to Santa Fé; the next the foolish attempt to invade Mexico, without means and men sufficient for the occasion."<sup>32</sup>

In 1842, as the file of the *Boston Advertiser* suggests, interest revived somewhat, for Mexico seemed about to overwhelm the struggling republic with a powerful army. Again meetings were held; again funds were subscribed; and again the "emigrant," lifting his rifle from the wall, hurried to Galveston. But this excitement was by no means wholly due to sympathy with Texas. As the Mexican consul at New Orleans reported to his government, the belief was "general all over the United States" that the invasion had been instigated by England, and that English money was to pay the cost of it; and the real object was supposed to be the abolition of slavery, the development of Texas as a rival cotton-growing country, and the execution of British designs against the prosperity of the United States. The negroes of the Southwest would find a refuge on the farther bank of the Sabine, it was thought; war would follow; the Indians and the blacks would be armed by the enemy; and a servile insurrection in the slave States might ensue. Again arguments for annexation began to be heard; and Tennessee and Louisiana took a formal stand on that side.<sup>33</sup>

Yet even now the *New York Tribune* declared that a move in such a direction would arouse the bitterest hostility throughout the civilized world; and that, if the Texans wished to live under the American government, they could come back far more easily than

<sup>32</sup> Miss. Hist. Soc. Pub., ix., 191. Jackson to Houston, Aug. 31, 1843: Yoakum, Texas, ii., 406. The Snively expedition was calculated to have a similar effect, but was less conspicuous and perhaps more debatable.

<sup>33</sup> (Seemed) *Nat. Intell.*, Oct. 20, 1842. Consul, No. 79, April 1, 1842: Sría. Relac. *Crescent City*, June 20, 1842. N. Orl. *Adv.*: *Sav. Repub.*, April 2, 1842. (Stand) Mex. Consul, N. Orl., No. 95, April 11, 1843: Sría. Relac. In connection with this excitement, the British government again warned Mexico that the U. S. authorities had no power to prevent citizens from going to the aid of Texas (*To Pak.*, No. 34, July 15, 1842).



remain where they were; while the radical abolitionist sentiment of the time was shown by the comment of the *Liberator* when the New York *Journal of Commerce* hoped that Texas might "be found equal" to the crisis. "It is thus," wrote Garrison, "that, in a single sentence, may be comprehended and expressed all conceivable profligacy of spirit and inhumanity of heart. . . . It is impossible for any honest man to wish success to Texas. All who sympathize with that pseudo republic hate liberty, and would dethrone God." More painful still, perhaps, was the crown of ridicule. Early in 1842 a New York paper announced a meeting of the Friends of Texas, and the next morning some two hundred persons came together in front of the city hall. The announcement proved a hoax; but a loaferish fellow talked for ten minutes from the steps, exhorting his listeners to march for the Southwest, and then a ragged urchin of twelve took his place and cried, "Friends of Texas, I propose myself for the office of Brigadier General."<sup>84</sup>

Remoteness counted for much in this neglect of an important region. Probably, too, the tariff that went into effect there in February, 1842, and bore hard upon American products and manufactures, had an influence. But no doubt the supposed character of the population signified a great deal more. Every now and then some bad or unfortunate man hurried to that refuge; and of course one absconding debtor or escaping criminal made more noise than fifty sober and industrious emigrants. Annexation, protested the New York *Sun* in 1838, would merely give us land and some "unprofitable members of society." In 1842 a correspondent of the Salem, Massachusetts, *Observer* exclaimed, "We have territory enough, and bad morals enough, and public debt enough, and slavery enough, without adding thereunto by such a union." "To all intents and purposes," lamented the *Savannah Republican* in 1844, "Texas has been the Botany Bay of the United States for the last eight years." About the same time Dr. Everitt, a citizen of that country, returned home from a trip to New York and the Northeast, and he summed up his observations in these words: "Texas, in the Northern States, stands as low in the grade of nations as it is possible a Nation can be and exist." Charles J. Ingersoll, a prominent member of Congress from Pennsylvania, remarked that at this

<sup>84</sup> *Tribune*, Nov. 14, 1842. *Lib.*, Oct. 14, 1842. *N. Y. Journ. Com.*: *Savannah Repub.*, April 6, 1842.

period our next neighbor on the south was little known by the greater part of us and was less liked.<sup>35</sup>

In short, after the early attempts at annexation had failed, one discovers in the United States no general wish to bring her within the pale, no zeal to draw closer the mutual ties, and only the faintest public interest in her existence. No pressing need of lands could, indeed, be felt in so big and so undeveloped a country as ours then was. Individuals crossed the frontier as they were moved by the spirit or the sheriff, and in that way the process of expansion was going on there as elsewhere in the West, aided in this instance by immunity from the effect of American laws. But that is all one can safely assert; and the ignorance, indifference and disesteem that prevailed in reference to the Lone Star republic became important factors when the annexation issue finally appeared at the front.<sup>36</sup>

On the other side Murphy, our chargé in Texas, reported privately to the Secretary of State in July, 1843, that he observed ill-feeling and sometimes resentment against his country among all parties and in every quarter. The basis, too, of the feeling was in part no less disquieting than the fact. Not only had the wish of the nation to join us been coldly received, not only had the American government extended no aid to that country in her struggle to obtain recognition from Mexico, not only had there been other general and particular causes of dissatisfaction, but the archives of our legation had been so carelessly guarded that certain despatches had become public, and these were freely cited as evidence that the United States could not be counted upon as a friend. In an emergency, therefore, assistance was to be expected only from England or France. Indeed an administration organ, the *National Vindicator*, of which the chargé sent a specimen, went so far as to declare that our government had not even kept their promises; and this assertion, Murphy added, expressed "the avowed sentiments of the administration."<sup>37</sup>

The disposition of Texas to remain independent and extend had

<sup>35</sup> (Tariff) *Nat. Intell.*, March 2, 1842 (flour, \$1.00 per bbl.; most grain, 20 cents per bushel; pork, \$3.00 per bbl.; hats, shoes and boots, 25 per cent.; clothing, furniture and tinware, 30 per cent.; etc.). *Sun*, Jan. 24, 1838. *Observer: Lib.*, March 4, 1842. *Repub.*, May 11, 1844. (Everitt) Jones, Memor., 270. *Cong. Globe*, 28 Cong., 2 sess., 84.

<sup>36</sup> It is confirmatory of this view that Tyler's annexation treaty was fiercely condemned for the alleged reason that it presented a new issue, upon which the people of the day had not reflected.

<sup>37</sup> Murphy to Legaré, July 8, 1843, private: Sen. Doc. 341, 28 Cong., 1 sess., 72.

therefore a profound meaning for the United States. It suggested the appearance on our flank of an ambitious, aggressive and unfriendly state, owning the mineral wealth of Mexico and California, possessing the finest port on the western shore of North America and what is now the most valuable harbor on the Gulf, threatening to outdo us in the production of a staple that was at once our most important export and our strongest lever on the Old World, likely for many years to injure not a little our commerce, manufactures and national revenue by wholesale smuggling, and almost certain to make us trouble with one or more of the great European powers. Nor had the government of the Union any excuse for ignoring this disagreeable prospect. In December, 1837, the Texan Secretary of State wrote to the chargé at Washington, evidently for effect upon our Executive, that should Texas retain her sovereignty she would pursue the destiny suggested by her emblem, "the evening star," "embrace the shores of the Pacific as well as those of the Gulf," and become "an immense cotton and sugar growing nation in intimate connection with *England*, and other commercial and manufacturing countries of Europe."<sup>88</sup>

<sup>88</sup> In 1844 the smuggling on Red River was said to be notorious (*Galv. Civilian* in *Houston Telegraph*, June 26, 1844). Irion to Hunt, Dec. 31, 1837: *Tex. Dipl. Corr.*, i., 277. Hunt's correspondence with Forsyth also was very suggestive.

## IV

### TEXAS AND EUROPE, 1836-1843.

FRANCE acknowledged the independence of Texas in 1839; and when Mexico protested, the President of the Council replied that the government, having made a "mature and impartial study of the situation" and satisfied themselves "that the existence of Texas was an accomplished fact, against which all the efforts of Mexico would be unable to prevail (*ne sauraient prévaloir*)," had felt compelled to consult the interests of their country and sign a treaty with the new nation. From this time on France wore a decidedly cordial face, and her minister to Mexico was instructed in 1842 to bring about, if he could, an amicable settlement between the belligerents. Not only her support but her example also was valuable, and in 1840 Texas was recognized by Holland and by Belgium. The influence of France in Texan affairs during the period of this chapter was, however, but slight. In the first place her policy had no ends in view except a natural development of trade in what seemed like a promising quarter; in the second her chief representative, the Comte de Saligny, had a strong preference for New Orleans as a place of sojourn; and in the third that gentleman quarrelled with the government of the nation to which he was accredited in a way that added nothing to either his popularity or his prestige.<sup>1</sup>

By all odds the most important European relations of Texas were with England. Obviously her first step was to secure from that power an acknowledgment of her independence; and as early as 1836 the Texan envoy to the United States was instructed to talk with the British minister, point out the benefits that could be derived from his country, and endeavor to obtain the much desired recognition. In June, 1837, as we have seen, Henderson was appointed envoy to England and France, and by him the formal advances were made. At the following Christmas, however, he learned from Palmerston that the British cabinet not only declined to recognize the new republic then, but would not promise to do so should her national position

<sup>1</sup> See General Note, page 1. Garro, No. 10, Oct. 13, 1839. Smith to Van Z., conf., Jan. 25, 1843: Tex. Dipl. Corr., ii., 1103. (Sojourn) Newark *Adv.*, April 30, 1845. (Quarrel) Garrison, Texas, 252; London *Times*, July 13, 1841; Amory to Mayfield, May 20, 1841: Tex. Dipl. Corr., i., 495.

be maintained for a certain length of time; and the years 1838 and 1839 passed by with equal ill-success.<sup>2</sup>

These facts, however, did not signify that England felt the country had no title to recognition. In July, 1836, Pakenham, the British minister to Mexico, reported that in his belief the men in power there saw they could not regain the lost province. Two years later Ashburnham, then chargé at the same capital, wrote that he hoped no insuperable obstacle stood in the way of recognizing Texas and added: "The re-conquest of that Country by the Mexican Government is highly problematical; its power to retain it, if re-conquered, scarcely within the bounds of possibility;" and the delusion of attempting to reassert its former sovereignty, very injurious to the mother-country. By April, 1839, the British Foreign Office was convinced that a war to put down the colonists would probably fail, and that in any event Mexico could not hold the territory; and soon it was confirmed in this opinion by learning that the Mexican Minister of Foreign Relations entertained the same view. Meantime Pakenham was insistently pointing out the prospect that Texas would rapidly grow and the importance of securing her friendship. Yet still she was not recognized by Great Britain.<sup>3</sup>

Nor did this inaction signify indifference. As early as 1830 Huskisson declared publicly that the United States could not be suffered "to bring under their dominion a greater portion of the shores of the Gulf of Mexico" than already belonged to them; and from his connection with Canning it may be supposed that the Foreign Office felt apprehensive of the annexation of Texas to this country and had resolved to oppose it. Naturally, then, Great Britain watched with great interest the revolution of 1836 and in particular everything suggestive of American interference. All the articles in our newspapers bearing upon these subjects, reported our minister, were "eagerly" republished by the British journals; and he said that England, already looking to the probability that Texas would enter the Union, was "preparing" to stand in the way. In August, 1836, the subject came before the House of Commons. It was protested that we could not be allowed to "pursue a system of aggrandisement"; and Palmerston himself went so far as to say, that any

<sup>2</sup> Austin to Wharton, Nov. 18, 1836: *Tex. Dipl. Corr.*, i., 135. Irion to Hend., June 25, 1837: *ib.*, ii., 808. Hend. to Irion, No. 4, Jan. 5, 1838: *ib.*, 839.

<sup>3</sup> Pak., No. 48, July 1, 1836. Ashburnham to F. O., No. 47, June 24, 1838: F. O., Mexico, cxiv. To Pak., No. 9, April 25, 1839. Pak., No. 45, June 3, 1839. See Adams, *British Interests*, 29.

danger of the annexation of the territory in question to the United States "would be a subject which ought seriously to engage the attention of that House and of the British public."<sup>4</sup>

For certain reasons, moreover, it was distinctly advisable to recognize Texas. Obviously England, having large investments in Mexican mines and other properties and enjoying the lion's share of the foreign trade of that country, wished her to prosper and therefore wished her to be at peace. At first, as Palmerston afterwards admitted in the House of Commons, it was hoped that she would recover the province, but that prospect soon faded; and then it was clearly seen to be desirable that she accept the situation and refrain from wasteful efforts, which a British acknowledgment of the colonists, tending strongly to show the futility of all attempts at reconquest, would help to make her do. England also wished to sell as many goods as possible to the Texans, and for that reason had an interest in promoting their success. Unless outdone in sagacity by the London *Colonial Gazette*, she perceived that so long as the American protective tariff remained in force, there was a feasible way to escape the duties by sending merchandise to the United States via Galveston instead of via New York. Certainly, too, she desired Texas to become an independent cotton-growing state and relieve her from an embarrassing dependence upon the American planters; and in fact Palmerston said this in the House of Commons. The London *Times* considered it important that the new republic become both a barrier and a rival to the United States, and probably no tuition from a newspaper was necessary to suggest such ideas to the government. In view of all these inducements it is not surprising that in October, 1838, the British minister to Mexico was instructed to press upon the authorities of that country the wisdom of recognizing their former subjects as independent. Why, then, did not England herself take the step that she recommended?<sup>5</sup>

It has been suspected that she feared lest her taking it should facilitate annexation; but the course thus urged upon Mexico was calculated to work far more strongly that way, and moreover the United States had refused to receive Texas in 1837. A certain delay was doubtless necessary for the watching of events and calculating

<sup>4</sup> (Huskisson) *Am. Hist. Rev.*, xi., 795, note. Stevenson to State Dept., No. 4, Aug. 6, 1836: State Dept., Desps. from Mins., England, xlv. (Commons, Aug. 5) Hansard, 3 ser., xxxv., 928-942.

<sup>5</sup> (Palmerston) *London Times*, March 2, 1848. *Col. Gaz.: Phila. No. Amer.*, Jan. 6, 1841. *London Times*, Nov. 27, 1840. *Pak.*, No. 45, June 3, 1839, refers to the verbal instructions.

of chances; but by the time she was ready to advise another nation what policy to adopt she must have had a policy herself. No doubt there was a reluctance to offend the mother-country by recognizing her rebellious daughter; but England was not afraid of Mexico and had less need of her than had she of England. Much more fruitful is a different line of thought. The British government ardently desired at this time to bring about the abolition of slavery in Texas. Palmerston admitted publicly at a later day that they would have been "most delighted" to obtain this concession. Evidently they tried to carry the point, for he said, "We could not obtain it"; and the Texan envoy, in announcing his total failure to win recognition, placed slavery in the first position among the obstacles encountered. The colonial secretary of Barbadoes, who had visited Texas, reported that in his opinion she would give up the peculiar institution to secure from Great Britain an acknowledgment of her independence; the British government had no doubt been able to suspect as much from her eagerness to gain that favor; and it seems reasonable to suppose that they deferred recognition in the hope of obtaining sooner or later in exchange for it the concession they desired.<sup>6</sup>

In 1840, however, the acknowledgment was granted. Weighty considerations now required the step to be taken. In the first place Texas was at this time clearly entitled to what she asked. In the second British interests demanded that a commercial treaty should be made with her. Thirdly, England wanted to deprive the United States of support on the great question of the right of search, and Texas was willing to concede that *sine qua non* of acknowledgment. Again, England wished her to remain free from the restrictions of the American tariff both as an open market for British manufactures and as the means of attacking that tariff by smuggling, wished her still to be an independent producer of cotton, and wished her to stand permanently as a barrier against possible encroachments on Mexico; and while there was danger even yet that recognition might facilitate her incorporation in the United States, there was also a hope now that admittance into the family of nations and a swelling tide of prosperity might render her strong enough and proud enough to maintain her nationality. To prevent her from falling a prey to the American Eagle, English advice could be very helpful, and obviously the British could not expect to wield much influence in her

<sup>6</sup> (Palmerston): note 5. Hend. to Irion, No. 4, Jan. 5, 1838. Sheridan to Ganaway, July 12, 1840: F. O., Texas, i.

counsels unless they consented to recognize her, especially as the United States and France had already taken this step. Finally the British government may have believed, as an envoy of Texas had urged, that an acknowledgment of her independence would tend to bring about peace between her and Mexico, and thus would render British interests in the latter country considerably less precarious. Accordingly in November, 1840, a treaty of amity and commerce, a treaty providing for mediation, and a treaty aimed at the suppression of the slave trade were concluded; and Palmerston, in reply to the protest of Mexico, frankly described her hopes of recovering Texas as "visionary." There occurred, however, a delay in carrying these treaties into effect. For some reason the slave trade agreement did not reach Texas promptly, and from this and other causes it failed to be ratified immediately by that government. Very possibly the British ministry became suspicious that a scheme to evade it existed, and they declined to exchange the ratifications of the other instruments until the whole business could be completed. But finally on the twenty-eighth of June, 1842, this was done and the republic of Texas thereby recognized.<sup>7</sup>

In consequence of the conclusion of these treaties in 1840 Captain Charles Elliot of the royal navy was appointed consul general for that country, and the intention was announced of making him chargé d'affaires also on the exchange of the ratifications. In May, 1842, he was directed to proceed to his post "with as little delay as possible," and, besides acting as consul, to collect and transmit political information; and on the twenty-eighth of the following June he was duly invested with a diplomatic character. Evidently the British government felt a desire to understand the situation in the new republic, and the natural inference is that the possibility of effecting something advantageous there seemed worth considering. The additional fact that before Elliot could be placed in position a semi-official agent visited the ground, gathered facts and smoothed the way to full diplomatic intercourse tends to confirm this inference.<sup>8</sup>

Elliot was described while in Texas as appearing like "a frank,

<sup>7</sup> Smith to Van Z., conf., Jan. 25, 1843: Note 1. Hamilton to Palmerston, Oct. 14, 1840: F. O., Texas, i. To Smith, March 9, 1842. Palmerston to Murphy, Nov. 25, 1840: F. O., Mexico, cxl. (Delay, etc.) Worley: *Tex. State Hist. Assoc. Qtrly.*, ix., 4, 13, 14. (Declined) Everett, No. 13, May 6, 1842. (Done) *Nat. Intell.*, July 25, 1842.

<sup>8</sup> To Elliot, Aug. 4, 1841; May 24, May 27, No. 3, May 31; No. 6, June 28, 1842. Kennedy, author of a valuable book on Texas, was sent there in 1841 (see also Adams, *British Interests*, 74-78). He was made consul at Galveston in Sept., 1842, so that Elliot's consular duties were nominal.



bold, honest-hearted Englishman," and also as being an "accomplished gentleman." He had represented his country at Canton; and, in the exceedingly difficult circumstances which led to the first "opium war" between England and China, had failed to give universal satisfaction at home. Apparently he was not quite anxious enough to save the great stocks of the illicit drug owned by British merchants. After a while he was recalled; and the London *Times*, voicing the mercantile sentiment of the metropolis, declared that he was "notoriously unfit to manage a respectable apple-stall,"—that is to say, an apple-stall selling gin without a license,—that while acting in China he had betrayed an outrageous lack of judgment, and that he was a person "utterly regardless of British property, or wholly unacquainted with the proper means of protecting it," all of which could be regarded under the circumstances, like many other thunderings from the same source, as on the whole a compliment. He has also been described as an abolition enthusiast and a political dreamer. But he was no more hostile to slavery, so far as we are aware, than his nation had shown itself, and the British have usually been thought fairly hard-headed; and though he, like many an able statesman, failed to see his plans realized, he was no more visionary than Sam Houston. Indeed a careful study of his ideas with full knowledge of the conditions appears to show that however bold they may have been they were nearly all sagacious, and the one or two of which perhaps that can hardly be said at present were based upon views held at the time by many highly intelligent men. Sir Robert Peel testified in Parliament that he exhibited ability and integrity in Texas, while the Texan Secretary of State, writing to the Texan minister at London, spoke warmly of his "great capacity and intelligence, his high character, [and his] enlarged and liberal views of national policy"; and from an examination of his correspondence and proceedings one concludes that until ill-health, disappointment, "private distresses" and the sense of struggling against heavy odds imparted a touch of desperation to his planning, he displayed a very creditable degree of judgment, insight and tact.<sup>9</sup>

The mediation treaty provided that if, within thirty days after it was made known to the government of Mexico by the British repre-

<sup>9</sup> Daingerfield to Jones, Feb. 4, 1843; Jones, Memor., 207. Smith, Remin., 22. *Times*, Nov. 22, 1841; (Peel) May 25, 1842. To Smith, Sept. 30, 1843. As will be mentioned in Chapter xviii., a most competent judge of men, acquainted rather closely with Elliot, described him as "shrewd and cunning." Elliot to Bank, private, June 11, 1845; F. O., Texas, xiii.

sentative, an unlimited truce should be established between her and Texas, and if within six months from the same date she should conclude a treaty of peace with Texas, then the latter country would assume a million pounds sterling of the Mexican foreign debt. But with a view, it may be supposed, to her general interests England had undertaken the office of mediator long before agreeing to do so. In the spring of 1839, in accordance with the instructions received the previous autumn, Pakenham urged upon the Mexican Minister of Foreign Relations the wisdom of recognizing Texas, dwelling upon the advantage of having a barrier state on the north. At this time Santa Anna occupied the Presidential chair *ad interim*, while Bustamante was commanding in the field, and it could hardly have been expected that the prisoner of San Jacinto would cordially accept such a recommendation. Some months later Bustamante resumed his functions, and Pakenham then brought the matter to his attention. The President favored the idea of a settlement, and Cañedo, the Minister of Foreign Relations, felt willing to take the lead in that direction provided his colleagues would support him; but Cañedo added that more pressing affairs were in the way, and it would be some time before he could move. Pakenham followed the matter up and had several talks with the minister; but after a time the latter receded somewhat from his position, shrinking like all other Mexicans from the contemplation of Texan independence, and near the close of the year Pakenham found that the attacks of the opposition—particularly those of a newspaper controlled by Santa Anna—had frightened the government from their own conclusion. Then came a swing the other way; and in April, 1840, there were negotiations with Treat, a confidential agent of Texas.<sup>10</sup>

Finally, after procrastinating in the hope of evading responsibility, the administration decided to ask for powers to adjust the controversy; but on proposing to the Council of State a policy looking toward a cessation of hostilities, Cañedo was beaten by Gorostiza. The debate was then made known—probably by the latter—to an opposition paper, and Congress demanded to be informed of everything done regarding the affair. The government now found themselves involved in very serious difficulties; retired still farther from their conciliatory attitude in order to court popularity; apathetically

<sup>10</sup> (Treaty) Tex. Arch. To Pak., No. 9, April 25, 1839. Pak., Nos. 45, 56, 74, 82, 96; June 3; Aug. 1; Sept. 12; Oct. 5; Nov. 24, 1839. Id. to Hamilton, Dec. 12, 1839; F. O., Mexico, cxxxiv. Id., Nos. 42, 25, April 30; March 3, 1840.

permitted Treat to withdraw from the country in disgust; showed themselves more and more determined, whatever might be the real interest of the country, to "save their responsibility with the public"; eventually took the ground that the Texans were ungrateful beggars whom Mexico could not think of recognizing (June, 1841); and soon afterwards, in spite of all their truckling to the sentiments of the people, were overthrown by Santa Anna.<sup>11</sup>

Early in 1842 Ashbel Smith was appointed Texan chargé to England and France and instructed to press the subject of mediation. In May he presented himself to Everett, then our representative at London, with a letter of introduction from Houston, and by Everett he was introduced to Lord Aberdeen, the British minister of foreign affairs. Somewhat unfortunately perhaps for his mission Kennedy, the British consul at Galveston, had written to the Foreign Office a few months before that while the President of the United States desired to obtain Texas, in his own opinion the country inclined toward a Mexican connection,—in other words toward a return to Mexican allegiance in some form, the first choice of the British government. No doubt Aberdeen had this possibility in mind when he talked with Ashbel Smith; and apparently he was not at all sorry to express, as he did, the "decided opinion" that British mediation would be unsuccessful.<sup>12</sup>

After having thus discouraged the Texan hope of obtaining recognition from Mexico, he found it necessary to go through the form at least of doing something, since the mediation treaty was very soon consummated; and in July, 1842, he instructed Pakenham to bring before the Mexican government the desirability of settling the tedious controversy. Santa Anna, however, who was now in supreme power, valued the affair as a convenient pretext for the large army that he needed, and the government replied sternly that the war would go on. With apparent justice, therefore, the Foreign Office reiterated to Smith in October that mediation was utterly hopeless; yet probably, as Elliot suggested a little later to his chief, it was "only necessary for Lord Aberdeen to say to Santa Anna, 'Sir, Mexico must recognise the independence of Texas,'" for perhaps the dictator might on the whole have welcomed, as Elliot

<sup>11</sup> Pak., Nos. 54, 63, 82, 89, 107; May 18; July 5; Aug. 22; Oct. 7; Dec. 19, 1840. Id., Nos. 25, 56; Feb. 26; June 10, 1841.

<sup>12</sup> To Smith, March 9, 1842. Smith to Everett, May 12, 1842; Tex. Dipl. Corr., ii., 979. Id., No. 4, May 17, 1842. Kennedy, Jan. 10, 1842. Smith, No. 6, June 3, 1842.

thought he would, a good excuse for taking this very step, so as to end the Texas difficulty and leave himself free to establish his dynasty on the throne of Mexico, and certainly he could not have faced the possibility of a war with Great Britain at a time when there were fair prospects of a conflict with the United States and a conflict with France. Why, then, did not England reply to the dictator in this decided manner? It seems more than possible that now, observing how little talk of annexation had been caused by Santa Anna's threats of crossing the Rio Grande, she thought it well to have the Texans hang in suspense for a time. At any rate Ashbel Smith suspected that her aim was to let them be worried and harassed until they would "yield the point of slavery" in exchange for a British guaranty of their independence and "some commercial and financial advantages"; and there was also the chance that when sufficiently weary of the struggle they would accept some form of Mexican allegiance with abolition as its corollary.<sup>13</sup>

After Aberdeen informed Smith in May, 1842, that British mediation could not succeed, Texas formed the idea of a triple interposition by England, France and the United States, and in August this was proposed to both of the European powers. The French government acceded to the request, but Aberdeen refused to do so. He explained the decision of the cabinet by saying that the efforts already made by England had not met with encouragement, and that still less satisfaction could be expected from an offer to mediate in conjunction with the United States, a country towards which Mexico felt angry on account of alleged offences against neutrality. It is easy, however, to surmise that other reasons existed. England had far more influence in Mexico than the United States and France combined; yet were the three powers to act in concert there, she would receive but about one third of the credit for anything accomplished. It seemed, no doubt, much better to have Texas, who well understood her important position at Mexico, look to her alone as a friend to be relied upon. If she desired to control events in the

<sup>13</sup> To Elliot, No. 3, July 1, 1842. To Pak., Nos. 26, 34, July 1, 15, 1842. Pak., No. 80, Aug. 29, 1842. Bocanegra to Pak., Sept. 23, 1842: F. O., Mexico, clv. Smith, No. 23, Oct. 17, 1842. Elliot, secret, Feb. 5, 1843. Smith to Van Z., conf., Jan. 25, 1843: Tex. Dipl. Corr., ii., 1103. Apparently the British government were inconsistent if they advised Mexico to recognize Texas while discouraging the Texans' hopes of recognition. But their policy, as explained by Palmerston, was to have Mexico recover the province if possible, and if not, make a friendly settlement; and as she could not be expected to act promptly on their advice, there was a possibility that Texas would yield meanwhile.

struggling republic, that was clearly the shrewder policy; and since she adopted it, one infers that very likely such was her aim.<sup>14</sup>

Among the men to whom tracts of land north of the Rio Grande had been conceded under the Mexican régime was an Englishman named Beales, whose patent covered almost half a million acres. In September, 1842, Croskey, who represented the claimants under this grant, addressed a letter to the British Under Secretary of Foreign Affairs requesting that the government present the claim to the Texan authorities. In point of fact there was no basis at all for urging it, since Beales had not fulfilled the conditions; but Croskey cheerfully overlooked this point, and endeavored to recommend his cause with arguments a little outside the legal view. The colonization of these lands by Englishmen, he wrote, would perhaps render Great Britain entirely independent of American cotton. This of itself would be an immense advantage, and another advantage would follow. The loss of the British market would lessen the value of slaves on the southern plantations of the United States. That value would be diminished still further by a prohibition of their introduction into Texas resulting naturally from British colonization and the settlement of free laborers there; and in the course of time slavery in the United States would come to an end. Thus argued the claim was taken up by the British government, and in February, 1843, Elliot presented to the Texan Secretary of State a long plea in its behalf.<sup>15</sup>

It is thus clear that England felt much interested in Texan slavery and strongly desired to uproot it; the indications apparently suggest that other ideas than pure philanthropy had a place in her calculations; and we come now to facts of a still more interesting character. In July, 1840, the colonial secretary of Barbadoes sent home the account of Texas, probably fuller than anything the government possessed at that time, to which a reference has already been made. It was an argument for acknowledging the independence of the republic; and—after giving a somewhat lurid account of the wild characters taking refuge beyond the Sabine, and vividly picturing the Sheffield bowie-knives eighteen inches long, warranted in beautiful tracery on the blade to be “the genuine Arkansas toothpick”—

<sup>14</sup> Smith to Guizot, Aug. 15, 1842: F. O., Texas, xviii. Id. to Aberdeen, Aug. 19, 1842: *ib.* To Cowley, Oct. 15, 1842. (Understood) Smith, No. 41, July 2, 1843. The action of England in regard to triple mediation could hardly fail to excite suspicion in the U. S. so far as it was known.

<sup>15</sup> Elliot to Jones, Feb. 4, 1843: F. O., Texas, vi. Jones to Elliot, Sept. 19, 1843: *ib.*, xxii. Croskey to Addington, Sept. 15, 1842: *ib.*, v.

he recommended that his government insist upon the ultimate abolition of slavery there, adding, "I really believe that twenty years would not pass away, before England (if necessary) might exclude every Bail of Cotton made in the States." Certain advantages to accrue from such a result have just been indicated by Croskey, but the subject had still other phases. In June, 1842, Sir Robert Peel remarked in the House of Commons that he had grave doubts whether the British West India colonies, in which the negroes had been emancipated, could compete with regions using slave labor—which meant of course that he felt sure they could not; and somewhat later the London *Mercantile Journal* remarked that freeing the blacks had ruined those islands, and that an adoption of the same policy by the United States would greatly reduce our production of cotton. Evidently the idea was familiar in high British quarters as early as 1842 that an effacement of slavery here would tip or tend to tip the scale of competition in favor of the British empire; and as that government, in the opinion of the Texan representative at London, concluded before the end of January, 1843, that annexation to the American Union was "extremely improbable," they very likely began to feel that a quiet move in this direction by the way of gentle pressure upon Texas could now be safely made.<sup>16</sup>

According to the terms of accommodation proposed in the spring of 1843 through Judge Robinson, Texas was to accept Mexican sovereignty while retaining control of her own internal affairs. Such an arrangement, as we have remarked, would necessarily have put an end to negro servitude, and it is evident that England did as much as prudently she could to secure the acceptance of the proposition. In discussing the plan with Ashbel Smith, Under Secretary Addington expressed the belief that as soon as Santa Anna had disposed of Yucatan he would proceed to subjugate Texas,—clearly a recommendation to gain shelter in time. Neither Addington nor Aberdeen would give any encouragement at this juncture with reference to such a settlement as the Texans desired; and Smith, in reporting these facts, described the minister's attitude as distinctly cool. He was even informed that for some time past the British representative at Mexico had ceased to urge the subject upon the attention of the Mexican government, which plainly signified that Texas must look out for herself; and the British Foreign Office went

<sup>16</sup> Sheridan to Ganaway, July 12, 1840: F. O., Texas, i. (Peel) Hansard, 3 ser., lxiii., Col. 1227. *Merc. Journal*, Dec. 16, 1844. Smith, No. 34, Jan. 28, 1843.

so far as to give the opinion that peace on the terms desired by that country could not be obtained through the mediation of any or all of the friendly powers. Elliot himself ventured farther and counselled Houston to accept the Robinson terms, saying that it was "not at all probable" Santa Anna would concede full independence, that he hoped "these advances would end in an honourable and durable pacification between the two Republics," that no friendly effort would be wanting "on the part of Her Majesty's Government to secure that result," and that, were the "nominal concession" of sovereignty made, the peace and prosperity for which—as he told the Foreign Office—Texas was gasping would come at once. Moreover he did not hesitate to insist that most likely, if Santa Anna would recognize the country at all, he would do so only upon the basis of abolition.<sup>17</sup>

All conceded that the destruction of Texan slavery would have a great effect upon the same institution in the United States. As the *Journal des Débats* pointed out, the example and the loss of the market for young negroes would have counted for much; the opportunity afforded runaways from the southwestern States by a boundary line described as two hundred leagues in length, might have signified a great deal; and preventing that diffusion which the extravagant agricultural methods of slavery made necessary would perhaps have meant still more. And now we not only find the British cabinet and its agent endeavoring to draw Texas into a position where her slaves would be freed, but find the Texan Executive saying in response that "concurring in the views entertained by Her Majesty's Government," he would "accede to the proposition [regarding a truce] made by Gen. Santa Anna."<sup>18</sup>

Everett, while acting as American minister at London, stated officially that Ashbel Smith was "a person of more than ordinary talent and capacity for affairs" and "exceedingly well respected" at the British court; and it goes without saying that his opportunities for acquiring information there and his zeal to understand whatever concerned the interests of his country were exceptional. Now in January, 1843, Smith wrote as follows to Van Zandt, the Texan chargé at Washington:

<sup>17</sup> Smith, No. —, June 16; No. 41, July 2, 1843. Elliot to Doyle, June 21, 1843: F. O., Texas, vi. Id. to Jones, June 10; July 24, 1843: ib. (Gasping) Id., private, Dec. 16, 1842. (Insist) Galveston letter to Upshur, Nov. 20, 1843: N. Orl. *Repub.*, July 27, 1844.

<sup>18</sup> *Débats*, May 20, 1844. (Boundary) N. Orl. *Repub.*, July 3, 1843. Jones to Elliot, July 30, 1843: *Tex. Arch.*

"It is the purpose of some persons in England to procure the abolition of Slavery in Texas. They propose to accomplish this end by friendly negotiation and by the concession of what will be deemed equivalents. I believe the equivalents contemplated are a guarantee by Great Britain of the Independence of Texas—discriminating duties in favor of Texian products and perhaps the negotiation of a loan, or some means by which the finances of Texas can be readjusted. They estimate the number of Slaves in Texas at 12,000 and would consider the payment for them in full, as a small sum for the advantages they anticipate from the establishment of a free State on the Southern borders of the slave holding States of the American Union.

"In July last in London, two matters were submitted to me in conversation by a person then and now having relations with the British Govt. *One* was, whether the people of Texas would listen to and consider a proposition from the English Government to abolish Slavery in consideration of concessions and equivalent advantages to be offered by that Govt. The *second* matter was, whether Texas would not be induced to divide itself into two States, one slave-holding the other non-slave-holding. It was argued that but few slaves would probably be introduced into Western Texas by reason of its proximity to Mexico, and that therefore, it would be conceding but little to establish "a free state" on this frontier: and the Colorado was proposed as a dividing line. I do not know to whom is due the initiative of these matters: but I was informed that the propositions in question, had been a subject of conversation with Lord Aberdeen. And I am aware that in another conversation in which Lord Aberdeen took part, it was maintained that the population which would flock into this "free state" from Europe would be enabled to vote down the Slave holders, and thus the Texians would of themselves establish an entire non-slaveholding country. . . .

"I may be mistaken in regard to the equivalents to be offered by England as they were not dwelt upon in detail. But in regard to the two propositions, one to abolish slavery throughout the entire territory, the other to establish a non-slave holding state in Western Texas; and in regard to the personal standing and relations with the Govt. of the Gentleman making the propositions, I cannot be in error. . . .

"The independence of Texas and the existence of Slavery in Texas is a question of life or death to the slave holding states of the American Union. Hemmed in between the free states on their northern border, and a free Anglo Saxon State on their southern border and sustained by England, their history would soon be written *The establishment of a free state on the territory of Texas is a darling wish of England for which scarcely any price would be regarded as too great. The bargain once struck what remedy remains to the South?*"<sup>39</sup>

<sup>39</sup> Everett, No. 317, May 15, 1845. Smith to Van Z., conf., Jan. 25, 1843: Tex. Dipl. Corr., ii., 1103.



At the beginning of July, 1843, Smith wrote as follows to the Texan Secretary of State:

“ . . . About a fortnight since I saw Mr. S. P. Andrews at a meeting of the “General Anti Slavery Convention” in this town. The abolition of Slavery in Texas was among the objects of his visit to Europe, and I have had several full conferences with him on this subject. He has been and continues to be actively engaged with some parties in London in devising means to effect abolition. He has had interviews on the subject in question with Lords Aberdeen, Brougham and Morpeth and with other persons, all of whom are extremely eager to accomplish this purpose. Lord Aberdeen said “Her Majesty’s Government would employ all legitimate means to attain so great and desirable an object as the abolition of slavery in Texas,” and he used other expressions of the same purport. These observations were made to Mr Andrews and the Committee of the Anti Slavery Convention which waited on his Lordship. The Anti Slavery Convention gave the subject of abolition in Texas a very full consideration, deem it of great importance, will spare no efforts to accomplish it, and count confidently on the cooperation of the British Government. . . .

“Different plans or ways of effecting and carrying out abolition have been proposed here. Among the principal is, first, a Loan to Texas to enable the Government to purchase the slaves and emancipate them, on the condition that the introduction of slaves hereafter be prohibited. Lord Aberdeen said the British Govt. would guarantee the interest of a Loan raised and applied for this purpose but no other Loan whatever. A second plan is the raising of a sum of money to buy large quantities of land in Texas on the same condition, namely the abolition of slavery; but according to the latter plan no credit is to stand open against Texas: the monies proposed to be paid for lands are to enable Texas to abolish slavery, and the lands are to become the *bona fide* property of those who furnish the money and to be held by them in fee simple. A plan similar to the second, is recommended by Mr Andrews. The plan at one time contemplated of encouraging an emigration to Texas which should “vote down” slavery, has been wholly abandoned as tedious, expensive, uncertain and inconsistent with the views of England *which wishes to direct all its emigration to its own colonies.* . . .

“The abolition of slavery in Texas by itself considered, is not regarded in England as of any great importance, but it is ardently desired as preliminary to its abolition in the United States and for the purpose of placing Texas in a rival if not unfriendly attitude towards that country. Besides motives of philanthropy, the British people wish the abolition of slavery in America in reference to the culture of sugar and cotton, in which there exists a rivalry with their colonies, and in reference to the advantages which the production of cotton in America gives

to its manufacturers and the employment which these staples afford to American shipping. You will not hence be surprised to learn that on several occasions indeed generally, where the abolition of slavery has been discussed I hear it mainly advocated for its anticipated effects on slavery in the Southern U. States and eventually on the agriculture, manufactures and commerce of that country. . . . Their [the British government's] policy in relation to slavery in all other countries is avowed, and they will cooperate by all legitimate means with any parties in their own country having for their object the abolition of slavery in Texas."<sup>20</sup> 4

On the last day of the same month the Texan chargé reported in these words:

" . . . In my interview with Lord Aberdeen on the 20th Instant, . . . His Lordship replied in effect, that it is the well known policy and wish of the British Government to abolish slavery every where; that its abolition in Texas is deemed very desirable and he spoke to this point at some little length, as connected with British policy and British interests and in reference to the United States. . . . The British Government greatly desire the abolition of slavery in Texas as a part of their general policy in reference to their colonial and commercial interests and mainly in reference to its future influence on slavery in the United States."<sup>21</sup>

As a gloss upon this despatch, which passes over certain points very lightly, it is worth while to bring forward also the testimony of the London *Morning Herald*, given at a later date when frankness appeared safe. Said the *Herald*, which was regarded by the *Revue de Paris* and other well informed periodicals as the voice of the British ministry:

" Mr. Calhoun says that Great Britain, having in some degree crippled her tropical commerce, by the substitution of free labour for slave labour, is interested in causing the suppression of slavery. No Englishman disputes the proposition. . . . Great Britain, says Mr. Calhoun, would obstruct the annexation of Texas as a means of promoting the abolition of slavery, first in Texas, afterwards in the United States. We confess the whole charge. . . . We do wish to see slavery abolished in the United States, not merely upon moral but upon commercial grounds also. These commercial grounds . . . are as much political as commercial. While the United States shall have the monopoly of the supply of raw cotton, they will hold in their hands the means of disturbing the social state of all the manufacturing countries of Europe, . . . but the mon-

<sup>20</sup> Smith, No. 41, July 2, 1843.

<sup>21</sup> Smith, No. 43, July 31, 1843. Smith added that Aberdeen mentioned the instructions to Doyle dated July 1, 1843: note 28.

opoly of the production of raw cotton cannot be very speedily taken from the States while these States retain the advantage of slave labour."<sup>22</sup>

The next day after sending off his despatch of July 31, Smith wrote to Aberdeen that the persons who were endeavoring to enlist the British government in the cause of emancipation in Texas were in no manner recognized and their proceedings were not at all endorsed by the constituted authorities of his nation. To this note His Lordship replied six weeks later that the British cabinet disclaimed all purpose to interfere "improperly" in the domestic affairs of Texas, but were anxious to see slavery disappear everywhere, and felt no surprise that private individuals, entertaining the same feeling, "should exert every effort in their power to attain an object so desirable." This qualified assurance told, of course, very little so far as the ministry's operations were concerned, and it showed very distinctly an intention to smile upon any unofficial agency working in so laudable a cause.<sup>23</sup>

Of course the principles and aims that shaped the policy of the British government in this matter had been worked out before Elliot sailed for Galveston; but the reports of that gentleman must have tended to confirm and extend them. In November, 1842, after having been at his post long enough to study the situation fairly well, he wrote that he had a plan for bringing about the abolition of slavery and the adoption of free trade. The present slaveholders, he suggested, could be compensated by a loan raised in England; and one of the effects of the new system, in his opinion, would be to draw Europeans to Texas and thus balance the power of the United States.<sup>24</sup>

The next month he pursued the subject farther. The best course for England, he thought, would be to obtain peace for Texas on the condition that she place herself in a position of real nationality by immediately and thoroughly organizing her social, political and commercial institutions and policy on a sound and independent basis,—by which he doubtless meant an abandonment of slavery and an adoption of free trade. The policy he recommended was, in brief, to establish that nation firmly between the United States and Mexico

<sup>22</sup> *Herald*, Jan. 8, 1845. *Revue de Paris*, April 1, 1845.

<sup>23</sup> Smith to Aberdeen, Aug. 1, 1843: *Tex. Arch.* Aberdeen to Smith, Sept. 11, 1843: *ib.*

<sup>24</sup> Elliot, private, Nov. 15, 1842. Sept. 11, 1841, the *London Times* remarked, with reference to Texas: "An independent state with no tariff at all would be the most formidable check possible against the demands by a neighbour for a high tariff."

as "the best barrier" available, "with a considerable coloured population perfectly free of political disabilities, and a commercial policy of the most liberal description." Money expended to emancipate the negroes and give to the black race a position and a voice in that quarter would, he suggested, "render as profitable returns as money spent for fortresses and military works on the Northern frontier of the United States," for those men's hearts would be with England "beyond the third and fourth generation," and Texas would be separated effectually from the neighboring States; while the adoption of a free trade system would detach it no less completely from the northeastern section of the great republic. In his judgment, he added later, it was an "object of considerable moment" to England that the Texas question should be "firmly and speedily settled."<sup>25</sup>

Though naturally compelled to be exceedingly circumspect in the matter, Elliot even ventured to take up the delicate issue with the Texan government. In June, 1843, he said to Houston that in his opinion the existence of slavery in Texas was greatly to be regretted; to which the President replied that he thought the same, and that unless the settlement with Mexico should somehow eliminate this element of the situation, his country would become, to its incalculable injury, the "impound"—the receptacle, he doubtless meant—of the colored population of the United States. In October the chargé went a step farther. He reminded Houston of the "settled feeling" of England regarding slavery, and stated that he expected instructions to "press that topic." England, he intimated, would "dwell upon . . . the deplorable error" of founding the nation on a wrongful, decadent institution, acknowledged wherever it existed to be a cancer. To this Houston answered that without going into details he could promise that the views of Great Britain would always receive the most attentive consideration from the government and people of Texas. Elliot's moves had every look of what is called "breaking ground," and the ground, so far as the President was concerned, had the appearance of being notably mellow.<sup>26</sup>

In February, 1844, James Love of Galveston wrote to Judge Nicholas of Louisville, Kentucky, a letter that seemed worthy to be placed in the hands of Senator Crittenden. The writer said:

<sup>25</sup> Elliot, private, Dec. 16, 28, 1842. The plan of giving the negroes all civil rights was particularly in view when a doubt of Elliot's full wisdom was expressed above; but, as the slaves were not very numerous, it might have worked well.

<sup>26</sup> Elliot, secret, June 8 and Oct. 31, 1843. It seems impossible to believe that without some prompting from his government Elliot would have dared to speak as he did in October.

"If Texas could be tempted to abolish slavery by the adoption of organic laws, her best and most generous patron and friend would be England. The abolition Society there, backed by her Majesty's ministers, are ready to pay us their full value and apprentice them for a term of years, at nominal wages only, and to take our public lands at U. States prices in payment of money advanced, added to this the guarantee of our independence by Mexico, and the certainty of an immense European emigration to purchase those lands already appropriated. In making this statement to you, I do not wish you to believe that I indulge in the idle rumors of the day, but that it is made on authority *you* would not question, were I at liberty to give you all the information I have."

From this it would appear that the plans proposed in London and encouraged by Elliot's despatches became tangible enough and promising enough to be a practical subject of discussion among leading citizens of Texas.<sup>27</sup>

While cautiously endeavoring to edge that country into an acceptance of the Robinson terms and also encouraging unofficial plans to end slavery there, the British government decided in June, 1843, to proceed by still another method, and they wrote to Doyle, the chargé at Mexico, that by offering those terms Santa Anna had "virtually" conceded the point of recognition, and it would be best now to do so formally. The despatch then added:

"By adopting such a course, the Mexican Government would be enabled to enter with great advantage on Negotiations with Texas, since by offering so great a boon as the complete independence of Texas, the main point in fact for which the Texians have been contending for years past, the Mexican Government would have it in their power to insist with greater effect on any Terms which they might wish to propose as the condition on which that boon would be conceded. It may deserve consideration whether the abolition of Slavery in Texas would not be a greater triumph, and more honourable to Mexico, than the retention of any Sovereignty merely nominal."

In other words, Doyle was to recommend officially that Texas be recognized on the condition that she emancipate her negroes.<sup>28</sup>

Elliot was duly notified of this communication, and in reply he offered some interesting remarks upon it. He believed that if Mexico would allow the Texan government a sufficient period for delibera-

<sup>27</sup> Love to Nicholas, Feb. 1, 1844: Crit. Pap. This letter was not written to further the cause of annexation in the U. S., for the writer said that under the existing circumstances annexation was impossible. Probably in line 7 he intended to write "England" instead of "Mexico."

<sup>28</sup> To Doyle, No. 10, July 1, 1843. Here and in a very few other cases, where such words as "honorable" were written in British despatches without the letter *u*, the author has made the spelling conform to the usual English method.

tion and a liberal boundary, the project could be carried through. Moreover, with a prospect before them that either emancipation or hostilities with Mexico would almost certainly occur, slaveholders would hesitate to come in from the United States. Were the system of free labor thus to be established west of the Sabine, "there would very soon be an end of the remunerative production of Cotton by Slave labour in the United States"; and should peace be obtained on the proposed basis, within ten years Texas would be producing a million bales annually. British goods would come over in exchange for them; and either the American and Mexican tariffs would be reduced or Texas would "rapidly come to be the seat of a considerable trade,"—that is to say, wholesale smuggling. In corresponding with Doyle, Elliot made further remarks. Should Mexico simply let it be understood that abolition was to be an essential preliminary of a settlement, "The tide of immigration from the Slave States would be at once arrested"; laborers would come in from the northern section of the Union and from Europe; and the tie connecting Texas with the southwestern States would be severed. One may fairly assume that the British Foreign Office was at least equal in sagacity to a mere chargé. Unfortunately, however, for this line of work, Doyle broke off diplomatic relations with Mexico at the end of September on account of a small British flag displayed among the trophies of the Texas campaign, and Mexico began to think of war with England. The British government condemned the action of their representative, but naturally that did not make him *persona grata* again at the Mexican capital; and as Bankhead, the new minister, did not reach his post until the following March, negotiations on delicate matters like this were now impracticable for about six months.<sup>29</sup>

Near the end of 1842 the policy of England bore fruit in an explicit admission from Houston that he felt "an intense anxiety for peace with Mexico," and in a direct request for the assistance of the British representative to obtain it. Six months more, and the President went so far as to intimate that in return for effectual aid Texas would side with England, should that power find herself at war with

<sup>29</sup> Elliot, No. 28, Sept. 30, 1843. Id. to Doyle, Oct. 10, 1843: F. O., Texas, vi. Id., No. 32, Nov. 29, 1843. Doyle to Elliot, Oct. 5, 1843: F. O., Texas, xxviii. Id., No. 79, Oct. 30, 1843. Thompson, Oct. 3, 1843. To Doyle, No. 34, Nov. 29, 1843. Bank, No. 1, March 31, 1844. The interim was really longer than the text states, for of course the new minister had to proceed very slowly at first, removing hard feelings and establishing confidential relations. As will be seen, an abolition movement of some strength developed in Texas itself during the spring of 1843.

the United States, as he suggested that she was likely soon to do; upon which Elliot wrote after due deliberation to the British representative at Mexico that the government of Texas had no bias towards the United States, and that Santa Anna by acknowledging her independence in a prompt, liberal way could "pretty rapidly" detach her from "the people and things East of the Sabine," make her a rival and enemy of her great neighbor, and not only "roll back" the threatening American tide, but have an ally in case of trouble with the United States and signally increase "the just and powerful influence of his own Country on this Continent." An argument more interesting to the dictator of Mexico or more dangerous to the Union could hardly have been devised; and it does not appear that Elliot's ideas and action in this regard were frowned upon in any way by his government.<sup>30</sup>

The circumstances of the truce were evidence of a friendly connection between Houston's government and the cabinet of Great Britain, but not the only evidence. In the summer and autumn of 1843 it was noted in the United States that several newspapers of Texas, commonly regarded as administration organs, were insisting that any wish of the American Executive to interpose for the benefit of that country would be thwarted by Congress, whereas Great Britain had both the will and the ability to render aid. The *National Vindicator*, a journal which probably had closer relations with the government than any other, hinted that the United States were disposed to sacrifice the interests of Texas for their own advantage, and were trying to create among her people a feeling hostile to Great Britain in order to prevent that power from successfully mediating. On the eighth of November Houston delivered an address in which he said: "There is a constant effort made to prejudice Texas against England. Why? *Because England has done us service.*" Had she acted toward us, continued the President, as our neighbors have, what would have been the clamor! The United States have disarmed our troops a hundred miles within our boundaries; they denounce us as bandits and pirates; and they threaten to send convoys across our territory to the Rio Grande. We cannot fight so great a

<sup>30</sup> Houston to Elliot, Nov. 5, 1842; May 13, 1843 (private): F. O., Texas, iv., vi. In the latter he said: "If England produces a pacification between this country and Mexico, she will thereby secure a friend on the gulf whose contiguity to the United States, in the event of a war, would not be desirable to that country. All movement on the part of the U. States would seem to indicate that they have an eye to a rupture at some period not remote." Elliot to Doyle, private, June 21, 1843: *ib.*, vi.

power; "but we will maintain our just attitude by a moral appeal to the nations." And then he made his climax by declaring, "It is the beginning of the end. What the end will be, is known only to Heaven." How could all this be understood except as meaning that Texan affairs were soon to be settled in one way or another, that the American republic was an enemy and England a friend, and that the nation should look to the latter power for advice, guidance and protection?<sup>31</sup>

By this time Houston's influence in Texas had become overwhelming. The government newspapers wielded of course a special authority with the public. As the trading vessels were almost exclusively English and nearly all of the money was in British hands, most of the business men were of that nationality or necessarily affiliated with Great Britain; and the Galveston *Civilian* acted as a spokesman for that side. Not many years had passed since the citizens had chosen an anti-annexation champion as their chief magistrate; they felt offended with the United States on several grounds; and it is not surprising if at this time they swung toward the British party. They appreciated the disposition of England to assist them, said Ashbel Smith later. For a long while at this period, wrote Anson Jones, European intervention would have been welcomed by an almost unanimous voice. Elliot is all powerful and Texas appears likely to become as obedient to British interests as Jamaica, the New Orleans *Tropic* had declared some months before, and the prediction seemed to be coming true.<sup>32</sup>

There was, moreover, an influence at work that appeared sure to strengthen the tendency. This was the swelling tide of immigration from overseas. In the matter of attracting European settlers Texas had a distinct advantage. Between the shores of the Old World and her vacant lands direct water communication was available, whereas the colonist disembarking at New York found himself still far from

<sup>31</sup> *Madisonian*, Nov. 20, 1843. *Vindicator*, July 1, 1843. *Citizen*, Houston, Texas, Nov. 18, 1843. Murphy to Upshur, No. 15, Dec. 25, 1843. In 1842 there was a prospect of friction between Great Britain and Texas in consequence of the ineffective Texas declaration of a blockade of the Mexican ports, but in October Houston ended the nominal blockade.

<sup>32</sup> Houston had many bitter enemies, there were sectional animosities against him, and his policy or supposed policy in regard to slavery and the foreign relations of Texas was deeply distrusted by some; yet his hold on the nation was very strong. (Money) Yell to Polk, March 26, 1845; Polk Pap. (*Civilian*) Murphy, No. 26, May 24, 1844. Smith, Remin., 47. Jones, Memor., 95. *Tropic*: Wash. *Globe*, May 22, 1843.



his opportunity. A British periodical of high standing, the *Edinburgh Review*, had already called attention to this new territory, declaring that "a country more inviting to the settler of the English race" it was "impossible to conceive." About the middle of 1843 the advertisement of a Texas colony stated that a large number of immigrants were expected from England. French colonists, also, seemed likely to come in great numbers. In June, 1842, it was announced by the *New York Journal of Commerce* that a contract for 1,700 settlers of that nationality had been made.<sup>33</sup>

It is thus clear that England aimed to encourage the development of Texas as a cotton-growing country so as to be independent of the United States, and apparently had in view a flank movement against the American tariff. We have seen placed before her government the self-evident proposition that a falling off in the demand for our great staple would cause the planters to value their negroes less highly and so would pave the way for emancipation. We have seen also that she endeavored to effect the destruction of slavery in Texas, —trying to gain the point first as the price of recognition, then by discouraging the Texans' hope of peace with the mother-country on the basis of independence, next as the equivalent for the cessation of hostilities according to the Robinson terms, and finally as the condition of full Mexican recognition; and we have seen that she chiefly desired abolition in Texas with a view to this country. In such attempts there was of course nothing improper on the part of the British cabinet. England not only had a right to advance her own interests, but in this matter she was entitled to credit for wishing to promote along with them the success of a great moral cause; and so far as the United States were concerned, it was for them to detect and circumvent any foreign aims likely to prove injurious. But the facts are incontestable that her designs in regard to Texas were deep and persevering; that they were believed by herself, by the Texan representative at her court and by her own representative in Texas to be very unfavorable to American interests; and that her relations with President Houston were most intimate and cordial; whereas in the United States the Texas question had been treated as a mere issue of party and sectional policy checkered at the North with philanthropy, the new republic—which Great Britain felt had a

<sup>33</sup> *Review*, April, 1841, p. 249. *Nat. Intell.*, Aug. 19, 1843. *Journ. Com.*, June 24, 1842.

truly important rôle to play—was generally regarded as a bagatelle, to be picked up at any convenient moment or never be picked up at all, and the pronounced development of anti-American, pro-British sentiment in that quarter seemed of no particular importance to the public mind.<sup>84</sup>

The outlook for Texas appeared therefore to be a rapidly growing population of a European cast, an early absorption of most valuable portions of Mexico, and a predominantly British tone due to past obligations and existing interests. To have thus, not only a strong and unfriendly rival, but one controlled by the nation we most feared and most suspected planted on our flank was clearly undesirable for the American Union, and the seriousness of the case was deeply emphasized by the existence of slavery. How the United States might be affected by the abolition of that system in Texas and what Great Britain desired to accomplish in this regard, the previous pages have indicated. On the other hand were the institution to survive there, a powerful community of interest—slavery at bay—would tend to draw Texas and our southern States together and disrupt the Union. The possibilities involved in this idea had already been suggested officially to her government, for in April, 1837, her minister to the United States had written that a combination with our slave section and a conquest of Mexico would build up “the greatest nation upon earth.”<sup>85</sup>

What, now, was the real aim of Texas? That is to say, what was the real aim of Sam Houston, who—though he may have derived much assistance from Anson Jones and others—appears to have been decidedly the moulder of her policy? Unfortunately, though about all the evidence in the case is most likely before us, a positive answer to this question cannot even yet be given. Endowed with a remarkably fertile and crafty mind, trained successfully as an American politician, finished in the school of Indian cunning, a gambler of long experience, a genius in the art of political histrionics, a diplomatist whose only idea of method was to triumph and not be found out, and a statesman able and determined to keep his own counsel, Houston worked in a situation beautifully adapted to facilitate the concealment of his aims, and had powerful motives for

<sup>84</sup> It follows that the suspicions regarding British designs then entertained in the United States were warranted.

<sup>85</sup> Hunt, April 15, 1837. Slavery existed of course to some extent elsewhere.

making the utmost use of this advantage. To catch him is hardly easier than it was to fix Proteus. Yet a working hypothesis may be framed, and each may carry this on through the intricate diplomacy of the Texan administration to be verified or disproved.

Mexican rule, then, he was fully determined of course never to accept. Annexation to the United States he regarded as tolerable if no better arrangement could be made, growing warmer or colder toward that plan according to circumstances. But his real desire was to obtain recognition from Mexico as the legal certificate of sovereignty, ensure an opportunity for growth by winning a guaranty—more or less formal—of Texan independence from the United States, England or both, lead his people forward then, unhindered, in the path of development, and gain a lofty place in history as the founder of a nation. To compass these ends, he designed to play off England and the United States against each other, exciting this country by dwelling publicly on the assistance received from across the ocean and letting it be felt that his relations yonder were dangerously intimate, and stimulating Great Britain at the same time by keeping the annexation issue alive and prominent. Finally the human element must not be overlooked. Though a patriot, Houston was no idealist. It was far from his intention to sacrifice his personal fortunes for the halo of martyrdom; and no doubt he proposed so to manage that whatever wind should blow, the vessel bearing his pennant should reach a port.

Early in 1844 he outlined in a letter the possible future of his country. Texas, he wrote, were she to stand forth permanently by herself, could hold aloof from all international quarrels, be the universal friend, and derive profit as a neutral from every conflict. The overflowing population from Europe would rapidly supply her with settlers. Admitting British goods at a low rate of duties, she could place them in the markets of northern Mexico and the southern States at prices to defy competition. European nations would eagerly protect her existence and promote her growth in order to counterbalance the American Union in the only possible way. California and other portions of Mexico would be glad to join the rising state for the sake of good government and protection against the Indians. Oregon, not separated from Texas as it was from the United States by tremendous mountains, could easily be acquired;

and before long the republic would be able to vie—if necessary, cope—with the greatest of powers. Such was Houston's forecast, and it seems every way probable that he drew it up in his mind long before putting it on record.<sup>36</sup>

<sup>36</sup> Houston to Murphy, May 6, 1844: Crane, Houston, 366. Doubtless the idea of a possible combination with the southern States was in Houston's mind, but in this letter—addressed to a representative of the Union—he could not mention it. Likewise Houston believed or at least professed to believe that Texas could wage a profitable war against Mexico, but he did not wish to have this done, since it would draw adventurers into the country, and so he does not mention that possibility here. It is worth nothing that at the beginning of the civil war Houston was suspected of desiring that Texas in leaving the Union should become a sovereign nation and of working with that in view (Williams, Houston, 361). With reference to this letter see Chapter viii., note 42.

## V.

### TYLER DESIRES TO EFFECT ANNEXATION.

It is now time to place ourselves at a distinctively American point of view and unravel the genesis of the annexation "conspiracy," if we can. Certain facts already presented will necessarily appear again here; but these will be few, and they will show themselves at a new angle.

John Tyler had the rare misfortune of descending into history cursed by one political party yet without a benediction from the other; and it is very difficult for a person condemned by his countrymen with such apparent unanimity and impartiality to regain standing. Yet until his accession to the highest dignity within the reach of an American citizen precipitated him to the lowest depth into which an American public man can fall, he seemed to be very highly favored both by the people and by the stars. For ten years he had served in the General Assembly of Virginia, for five in the national House of Representatives, for one term and a part of another as Governor of the commonwealth, and for nine years in the United States Senate; and then he had been elected by the country at large to the Vice-Presidency.

So long and so brilliant a career of honors could hardly fall to a contemptible or incompetent person, and in truth he seems to have been neither. Though not a giant, intuitive rather than logical in his judgments, and more tenacious than masterful in his determinations, he possessed insight, eloquence, courage and address. No doubt he was a politician, a State-rights man and a believer in slavery; but others as well as he have been moulded by their environment; all the leading public men of his day schemed; and he gave a proof of devotion to principle, such as few of his contemporaries equaled, by resigning the high office of Senator rather than please his constituents at a sacrifice of principles. Capable of holding his eye firmly upon the point he would gain but without the nervous power for downright combat, he necessarily pursued a course which may have seemed to men of less acumen and more force than himself rather insincere; but he could hardly be expected to let opponents dictate his plan of campaign. Very human frailties were his. He

could scarcely say "No" to a friend; more than a due share of vanity had fallen to him; and no doubt he was ambitious. But ambition is a trait of almost all public men; few had the excuse for vanity that he could offer; and loyalty to friends was not only a part of his constitution but a part of the social code in which he was reared. Most Americans have regarded him as worse than a failure; yet it was much to carry on the government at all under the circumstances; it was much to leave his notable record for honest and economical administration; it was much to remain genial, graceful and kindly under a cataract of the most violent abuse; it was much to retire with untarnished equanimity to the life of a Virginia farmer; and it was much also to bring about the settlement of the northeastern boundary dispute and the annexation of Texas.

To discuss his political difficulties at length is no part of the present undertaking, but something must be said of them. Though he was known to have been a steady opponent of a national bank all his life, he was nominated in 1840 by the free choice of the Whigs for the Vice-Presidency. His acceptance of the honor required no change of view, for the convention made no platform; and if the party expected him to forswear his principles for the sake of an office, it counted upon the leopard's giving up his spots and convicted itself of choosing a candidate whom it believed to be grossly unfit. Clay, however, after the victory was gained, used his power over Congress to have a bank bill enacted. This placed the President—for Harrison's death had now promoted Tyler to the first office—in a dilemma. Either he must prove himself cowardly and unprincipled by forsaking his colors at the bidding of a political chief, or he must satisfy his conscience at the risk of disappointing and offending the party. Each alternative threatened ruin; and probably Clay was not unwilling to sweep from his path in this easy manner one who seemed likely to prove a dangerous competitor for the next Presidential nomination. In so hard a situation Tyler doubtless tried anxiously to find a way of escape from both horns, and perhaps he employed some hesitating and equivocal language; but in the end he proved faithful to his convictions. Upon that he was duly read out of the party and abandoned by nearly all of his cabinet; and then, because he turned toward the Democrats for the support essential to the conduct of the government, he was denounced as a traitor again. At one and the same time, said Webster, the *National Intelligencer* would "have the Whigs be against the President" and "have the

President be for the Whigs." Many Democrats, on the other hand, entertained a deep grudge against him for joining in the opposition to Jacksonism; and for several reasons the Van Buren wing in particular found it more than hard to accept him. Between two horses, therefore, he fell to the ground, and hence the project of acquiring Texas, espoused and urged by him, was tarred with an extra, accidental and partisan opprobrium, against which—clearly recognizable now—it is a plain duty to maintain our guard.<sup>1</sup>

Scarcely had Tyler seated himself in the White House, when Henry A. Wise, his most intimate political friend, advised him to obtain Texas as soon as possible. The new President concurred in the advice; and a few months later he wrote as follows to Daniel Webster, the Secretary of State:

"I gave you a hint as to the possibility of acquiring Texas by treaty—I verily believe it could be done—Could the north be reconciled to it would anything throw so bright a lustre around us? It seems to me that the great interests of the north would be incalculably advanced by such an acquisition—How deeply interested is the shipping interest? Slavery—I know that is the objection—and it would be well founded if it did not already exist among us—but my belief is that a rigid enforcement of the laws against the slave trade, would make in time as many free States, south, as the acquisition of Texas would add of slave States—and then the *future* (distant it might be) would present wonderful results."<sup>2</sup>

Tyler's primary motive at this time in desiring to make the acquisition was apparently an ambition to do something brilliant for the country and gain fame in its history. His letter to Webster shows how the idea of glory occupied his thoughts. The execution of this design would throw a bright "lustre" around him. By encouraging a tone of fraternity in the cabinet, he said he should best promote his own fame and advance the public good. "I shall truly rejoice in all that shall advance your fame," was his assurance to the Secretary of State. Moreover such an achievement, he doubtless hoped, would give him that personal following in the nation which he desired to acquire. Though unable to please either Democrats or Whigs as party men, he thought he could please them all as Americans by identifying himself with something of non-partisan value. "Our course is too plainly before us to be mistaken," he wrote to

<sup>1</sup> See General Note, p. 1. Standard Histories. Tyler, Tyler, ii., *passim*. Webster, Writings, xv., 185.

<sup>2</sup> Wise, Decades, 182. Tyler, Tyler, ii., 254. Tyler to Webster: note 3. Oct. 11, It was alleged after the trouble began that Tyler let it be understood before he was nominated that his views regarding the bank had changed or would change, but this is emphatically one of the cases in which we are not to believe all that we hear.

Webster; "We must look to the whole country and to the whole people."<sup>3</sup>

That the step he proposed would give him strong friends in one part of the nation seemed almost certain. The mere fact that Henry A. Wise suggested it implied that the project was regarded by shrewd politicians as favorable to the South. In November, 1841, the New Orleans *Courier* remarked that it would add much to the President's popularity to obtain Texas, and a year later his partisans in Congress believed that it would make him omnipotent in the South and Southwest. Indeed any one could see why it might. The slave States were plainly falling behind politically. According to the chairman of a Congressional committee appointed a year or so later, in order to have about the same relative strength in the House of Representatives as in 1790 that section needed to send 101 of the members instead of the 87 that it did send. These figures meant that in one branch of Congress it was permanently the weaker side, and therefore that it must reinforce its position in the other. To do this was of course ardently desired by the politicians who represented it, and for the President's assistance they were certain to be grateful.<sup>4</sup>

To be sure, reasons could easily be seen why the accession of Texas would not promote the financial interests of the Southerners, for its rich soil would very likely draw planters from the older States and the value of land in these would be diminished, while the competition of its abundant crops would reduce the prices of what the less fertile areas could produce; and it was possible that in many minds these unpleasant probabilities might outweigh the remoter gains of political power and the consequent strengthening of slavery. Some no doubt, like the Natchez *Free Trader*, declared that England was aiming to bring about abolition in Texas, and if this could be proved, the South might entirely ignore mere economic arguments; but the only known indications of such a design were the British recognition of Texas and the making of a treaty with that

<sup>3</sup> Tyler to Webster, Oct. 11, 1841: Webster Pap.

<sup>4</sup> N. Orl. *Courier*, Nov. 4, 1841. Van Z., No. 93, Dec. 23, 1842. Report by Zadok Pratt: Wash. *Globe*, Dec. 18, 1844. To be fair, one must admit that had the conditions been reversed, the North would have endeavored to safeguard its position in the national government. In view of the doubt which has existed as to the paternity of the annexation project, the following words, written by Murphy (U. S. chargé in Texas) to Tyler, April 25, 1844, may be pertinent: "The measure is all your own . . . I hold the evidence of the fact in the sacred archives of this Legation" (Arch. Tex. Leg., State Dept.). See also Tyler's letter: Tyler, Tyler, II., 278.



country intended to facilitate the suppression of the slave trade, and the United States themselves had both acknowledged Texan independence and smitten that iniquitous traffic. Others thought England was scheming to become independent of American cotton; but it was answered that Texas would probably never, and certainly could not soon, be a serious competitor. It was therefore as yet a debatable question for the business men of the South; but, all things considered, that section was practically certain to prefer the acquisition of Texas.<sup>5</sup>

At the same time Tyler believed he could offer great benefits to the North also, and therefore "the whole country" and "the whole people" would be grateful to him for proposing and effecting annexation, while his own affections and interests, bound up with the slave section, would be safeguarded. Nor were these things all. In addition to the calculations of personal advantage, however legitimate, it must in fairness be supposed that the President wished for patriotic reasons to promote what he considered the welfare of the nation; and further still, as a knowledge of the Texan scheme of expansion doubtless existed in the State department, one may reasonably conclude—especially as Henry A. Wise pictured certain phases of that danger in startling colors—that our chief magistrate felt it his duty to suggest a precautionary measure.<sup>6</sup>

Thus early, perhaps, came also the idea that Van Buren and Clay might be embarrassed by the appearance of the annexation issue, since their followers would almost certainly be more or less divided upon it, and nobody could foretell precisely how. As for these leaders themselves, Tyler appears to have figured that neither of them could oppose the plan. Both seemed to be committed in its favor. Both had tried to obtain Texas: Clay as Adams's Secretary of State and Van Buren as Jackson's. Clay, besides, was a Southerner; and it had been thought "more than probable" by well-informed men in 1837 that should the administration fear to espouse the cause of annexation, the Kentucky orator would step forth as its champion; while Van Buren not only had taken no positive stand against this measure but was a disciple of Jackson, long so eager to gain the territory, and—as we have observed—had been thought by the Texan envoy to favor the acquisition of it himself after he became President. Jackson said that he and all Van Buren's other friends

<sup>5</sup> *Free Trader*; N. Orl. *Courier*, Aug. 14, 1841.

<sup>6</sup> (Wise) Chapter ii., last paragraph but two and p. 131.

expected him to support the project in 1844, and it was not unreasonable on Tyler's part to anticipate as much. Adams, Forsyth and Livingston, too, had concurred in efforts to obtain Texas. Thus all sections of the country, statesmen of many stripes, the politicians and the non-politicians, appeared in a way to be favorably disposed; and in particular the advantages that could be offered to the North seemed enough to placate, partially at least, not only the anti-slavery feeling, but that general opposition to southern and western extension which Monroe had found himself unable to resist. So the plan presented itself, one may suppose, in the President's more sanguine hours.<sup>7</sup>

The other side of the shield had its turn, however. Anti-slavery sentiment had shown itself terribly active and terribly stubborn in this Texas affair; and against it could be urged only financial considerations, which—appealing mainly to capitalists—might fail to reach the great body of citizens. Besides, the President could never forget that no party marched at his back. His only solid support now was a section of the Whigs; and Webster, standing at their head and at the head of the cabinet, was opposed to slavery and Southern domination. In regard to Texas indeed the great Secretary appeared friendly, though he considered the port of San Francisco worth twenty times the whole of it; but against annexation he had long been committed, and now in the opinion of the Texan envoy he feared the abolitionists among his constituents. Consequently he exhibited, to quote Houston, an “utter disinclination . . . to take any action upon the subject.” Spencer also opposed the project; and so the President saw that in working for it he would lack not only popular strength, but even that support in his official family which he particularly desired to have in all important affairs. Still further to embarrass him, the question of Texan independence appeared less firmly settled than it had been supposed to be, for that country was now more seriously threatened by the Mexicans than at any other time since the battle of San Jacinto; and finally she herself had apparently put an end to the plan of annexation by withdrawing

<sup>7</sup> The *Madisonian* of April 16, 1844, stated “upon advisement” that annexation was not intended to operate against either party, but did not say the same with reference to the leaders. (Clay) Grayson to Houston, Oct. 21, 1837: *Tex. Dipl. Corr.*, i., 264. (Van B.) Hunt to Tex. Sec. State, July 11, 1837: *ib.*, 240. When Clay and Van B. came out against immediate annexation, the Democratic Central Committee of Virginia said they did so “to the astonishment of all” (*Rich. Enq.*, May 10, 1844). Jackson to Blair, Sept. 19, 1844: Jackson Pap. Many others also believed that Van B. would favor annexation.—*e. g.* Detroit *Adv.*, April 3, 1844. *Madis.*, April 12, 15, 1844.

her overture. Under such circumstances Tyler could only wait and feel about for elements of support; but he was flexible and tenacious, and considerable time lay before him.<sup>8</sup>

In January, 1842, the American chargé in Texas cast a beam of light by writing that he had been desired again to lay the subject before his government; and in expressing the opinion that the country would be compelled to unite her destiny with some foreign nation, he pointed out how greatly she could add to the resources and the trade of the American Union; but this despatch, aside from showing that an earnest wish to be sheltered under the old flag existed still around its author, added little to the arguments which Tyler had already been prepared to give. Not long afterwards Texas herself, as we have seen, tentatively suggested annexation; but the President had to reply that while he was anxious to bring it about, he feared the Senate would not consent. In addition to this difficulty, the business connected with the Webster-Ashburton treaty was now making very large demands upon the attention of the government; and our relations with Mexico had become so unpleasant that were steps taken toward annexation, it was liable to look, whenever they should be made known, as if we had purposely increased the tension in order to acquire Texas by means of a war, should that method prove necessary. In the latter part of the year Van Zandt brought the matter up once more, and he found the President and most of the cabinet decidedly favorable to it so far as language went; but apparently the thing seemed to be too impracticable at that time for serious consideration, and the Texan government received an impression that "weak and blind indifference" on the subject prevailed at Washington. In Houston's language, Van Zandt's advances were met by the American authorities with "habitual apathy,"—good evidence that Tyler, notwithstanding his eagerness for annexation, did not forget the dignity of his office.<sup>9</sup>

<sup>8</sup> (Friendly) Van Z., April 19, 1843. (San Frans.) Curtis, Webster, ii., 249. (Committed) Adams, Memoirs, xi., 347. (Feared) Van Z. to Jones, March 15, 1843; Jones, Memor., 211. Houston's letter to citizens, October, 1845: F. O., Texas, xiv. Spencer, Letter, Sept. 12, 1847: *Niles*, October 2, 1847, p. 69. It has been suggested, as one reason why Tyler made no move for annexation in 1842, that the United States were trying to secure an amicable settlement of our claims against Mexico. But this business would not have prevented a secret negotiation with Texas, and still less have required a delay of eight months after a settlement with Mexico was effected.

<sup>9</sup> Eve, Jan. 6, 1842. Reily, No. 83, April 14; No. 89, June [July] 11, 1842. (Unpleasant) To Thompson, July 13, 1842. Van Z., No. 93, Dec. 23, 1842. (Indifference) Jones, Memor., 81. Houston to *Texas Banner*, July 18, 1847: *Niles*, Sept. 4, 1847.

Then, however, the outlook began to brighten. Early in the winter of 1842-3 A. V. Brown, a member of the House of Representatives from Tennessee, feeling deeply interested in the subject and afraid that Tyler's want of party strength would make him hesitate about proposing so important a measure, wrote to the Hermitage explaining the situation, and asking for something with which to stimulate the President. This was setting the match to gunpowder. It has been customary to think of the zeal for obtaining Texas as distinctively a Southern product, but in reality it was more natively Western. As early as the beginning of 1831, William Carroll of Nashville wrote to Van Buren, "There is no subject upon which the government may be called to act, about which the whole Western States feel so deeply interested as the acquisition of the Province of Texas"; and Jackson, who resided close to Nashville, replied promptly to Brown in the line of Carroll's ideas. England, he represented, could now make an alliance with the feeble nation at our gate, place twenty or thirty thousand men on her border, organize them before the design had become known in the United States, gain a lodgment on the Mississippi, master the navigation of that stream, and excite a servile insurrection in the southern States; whereas were that region in our hands, the militia would harass an invading army until a competent force could be led to the field. This letter encouraged the President, Brown stated afterwards; and such an effect was very natural, for it showed that a strong leverage could be brought to bear on the Southwest and indeed on the entire country, and he knew that Jackson's attitude would do a vast deal towards placing the Democrats behind the measure as a party. Besides, the letter was shown about at the Capitol, said Benton; and the concurrence which no doubt it evoked must have enhanced its influence upon Tyler considerably.<sup>10</sup>

The head of the United States bank had been Nicholas Biddle; and although that institution was now defunct, Biddle's prestige had not yet vanished. He was a Northern man, too, so that his influence was greatest where the President most needed it; and Biddle further stimulated the President by pointing out as a matter of great importance that the acquisition of Texas would give the United States a

<sup>10</sup> The results of the Congressional elections of 1842 may have encouraged Tyler. (Brown's statement) Benton, *Abr. Debates*, xv., 145. Benton's own account of the origin and intended use of this letter seems baseless. Carroll, Feb. 6, 1831: *Van B. Pap.* Jackson to Brown, Feb. 12, 1843: *ib.* Brown to Polk, Dec. 20, 1848: *Polk Pap., Chicago.* Benton, *View*, ii., 584.

substantial monopoly of cotton, which—as any one could see—meant not only a guaranty of Southern prosperity, but a rope constantly round the neck of the foreign nation most to be feared, Great Britain. This consideration, the monopoly of cotton, Tyler afterwards represented as in his mind the most important of all. No doubt it counted for much with him, and so it must have counted with all thoughtful men, north as well as south.<sup>11</sup>

To overcome one great difficulty it was proposed to place the sovereignty of Texas on firm ground, and for this purpose Tyler planned to negotiate a tripartite agreement, by which Mexico should acknowledge Texan independence and cede northern California—including San Francisco—to the United States, while England should induce her to yield the point of recognition, should help pay for the cession, and should accept as an equivalent for this assistance the undisputed possession of Oregon as far south as the Columbia. Lord Ashburton encouraged the scheme by saying that he did not think his government would object to our obtaining the California territory; and it was proposed to settle these points and remove another difficulty at the same time by sending Webster to England as a special envoy to negotiate the tripartite arrangement. Unfortunately, however, for these plans Mexico did not acquiesce. Indeed she could not, for the government of that country had no power to cede any portion of her territory, and the people not the least disposition in the world to mortify their pride in such a way; nor did the American Congress prove willing to appropriate money for the special mission. It was then planned that Webster should take Everett's place as minister to Great Britain; but Everett showed no desire to give up that comfortable office in exchange for a journey to China and back.<sup>12</sup>

Tyler's readiness to have Webster leave the country suggested plainly enough, although the President was cordial and friendly in his manner, that a change in the headship of the cabinet seemed to the Executive rather desirable. In fact the course of politics had made this change almost imperative. Massachusetts had nominated Henry Clay for the Presidency; and the fact that Webster and his friends could not swing even their own State in Tyler's interest,

<sup>11</sup> Tyler, Tyler, ii., 431. Tyler to his son, 1850: *Mag. Amer. Hist.*, June, 1882, p. 387.

<sup>12</sup> Tyler, Tyler, ii., 256, 260, 262, 263. Tyler to his son, Dec. 11, 1845: *ib.*, 448. Adams, *Memoirs*, xi., 327, 347. Schouler, *U. S.*, iv., 447, note, 436. Tyler to Webster, undated: Webster Pap. Id. to Id., Feb. 26, 1843: *ib.* Reeves, *Amer. Diplomacy*, 102.

made it evident that he could expect no effectual aid from them in conducting the government, and compelled him to strike out on a new line. On the other hand a longer stay in the cabinet would probably have compromised Webster seriously with his Whig associates. Moreover he doubtless understood that annexation was in view and felt that it would be indelicate on his part to stand in the way of his chief's design by insisting upon the retention of his portfolio. He believed—probably because he foresaw that a strong move in this direction would follow his retirement—that he ought to remain; but under the circumstances resignation seemed the better course, and in May, 1843, he took leave of the administration. In all probability a successor had already been chosen. Logic and the President's desire to be supported by his entire cabinet pointed clearly toward the selection of a strong annexationist for his place; and Judge Upshur of Virginia, one of Tyler's group of intimates and at the same time a friend of Calhoun's, had been described by Van Zandt the previous month as one of the best men for the interests of Texas that could be appointed. Upshur, said the Texan envoy, had the nerve to take responsibility and act with decision; and Webster himself admitted that no better choice was possible. Accordingly the energetic Virginian was soon invited to the post of honor.<sup>13</sup>

Now in March, 1843, England's design to effect emancipation in Texas if she could, and in that way strike at American slavery and our agricultural and shipping interests, was made known to the President through Ashbel Smith's letter of January 25, which has already been placed in evidence. Whether the letter was shown or read as a whole to any member of the administration cannot be known, but that seems more than possible; and at all events Van Zandt, according to his own report, used in his conversation with Tyler not only ideas but phraseology derived from the *chargé* at London. Moreover Smith has stated in his *Reminiscences* that his letters on the subject went to Calhoun and from Calhoun to Upshur, so that his revelations of January 25 may have reached the Executive by this route also. "I received," said the President later,

<sup>13</sup> Curtis, Webster, ii., 211. Tyler, Tyler, ii., 248, 263. Wise (*Decades*, 203) says that Webster retired "magnanimously" to make way for an annexationist. (Believed) Webster to [Ketchum], May 1, 1843: *Seventy-second Anniv. of Webster's Birthday*, 20. It has been charged that Tyler kept Webster in ignorance of the Texas "conspiracy," but in fact nothing was done in the matter during his incumbency. Van Z., April 19, 1843. Webster, *Writings*, xviii., 173. There was a brief interregnum under Legaré.

"authentic information" of foreign designs "at war, as I firmly believed with the permanent interests of the United States." It now appeared, therefore, that more reasons existed than he had previously supposed for acquiring Texas, since evidently the annexation of that country would eliminate all such dangers. As a Southern man and a slaveholder he naturally desired to protect the cherished institution of his section, and as an American citizen he doubtless resented foreign meddling,—especially meddling intended to injure us. Besides, he could not fail to see that as the British designs threatened what was a powerful interest in one half of this country, a bold and successful antagonist of them would no doubt be amply rewarded with political favor; while it was equally evident that such interference would be opposed by the North with no less vigor than by the South, and consequently that a new method of arousing annexation sentiment in the free States had been discovered.<sup>14</sup>

The effect upon him was such that Van Zandt said, in reporting on the matter, that both Tyler and the cabinet appeared to desire annexation heartily, and that in his own judgment it would be necessary to rouse the feeling of the American government against England only a little more to make them act. The evidence derived from Smith was, however, confidential. Even if the President saw the actual letter, he could make no public use of it; and perhaps the exact source of information was not revealed. Tyler knew, then, what was going on, but had no proofs with which to rouse the country. Moreover the Senate's rejection of Wise, nominated as minister to France, and of Cushing, selected as head of the Treasury department—both of them committed to the plan of annexation—embarrassed the Executive not a little at this time.<sup>15</sup>

But now something very suggestive occurred. In the spring of 1843 an abolition movement suddenly made its appearance in Texas. The New Orleans papers were alarmed by it, and the news went rapidly north. In May the New York *Journal of Commerce* took the matter up in a leader. According to private advices, announced

<sup>14</sup> Van Z., No. 97, March 13, 1843. Smith, *Remin.*, 54. It is of course uncertain at what date Smith's letters reached Calhoun. Tyler Tyler, ii., 425. Tyler said "other nations," probably to avoid naming England. Tyler's account of the sources of his information regarding English designs (Tyler, Tyler, ii., 428: letter to Rich. *Enq.*, Sept. 1, 1847) is shown by the documents to be inaccurate. This is not surprising. He no doubt left the details to the Secretary of State; his mind at the time was much agitated; and several years had elapsed when he wrote. But he states clearly that he received information from Ashbel Smith, and on such a point he was not likely to be mistaken.

<sup>15</sup> Van Z., No. 97, March 13, 1843.

the editors, measures were already "in progress" to secure the emancipation of the negroes, the total value of whom was believed to be only about \$5,000,000. We think, said they, that a loan for this amount could be obtained in England, and if so "we are strong in the belief" that slavery will be abolished, for it is supposed that this change would stimulate immigration and help England to make peace between Mexico and Texas, and cotton is now so cheap that no great reason for holding slaves exists; besides which the Texans may feel it would be better not to found the nation on a system that is bound to disappear before long. Evidently the editors regarded the movement as serious, and they deemed it of particular interest as perhaps foreshadowing a similar one in the United States. Still further reasons for abolishing slavery in Texas were suggested by other pens. The negroes were said to escape so frequently across the Rio Grande as hardly to be worth owning; and it was urged that such a measure would appeal to the sympathy and admiration of the people in England and the northern States, from whom no little aid could then be expected. Many leading men were said to support the new departure, and some of the Texas papers appeared to substantiate this assertion. In short, the movement was believed to be important; and the New Orleans *Tropic*, for example, denounced poor Texas as ungrateful for Southern assistance, its government as "utterly contemptible," most of the people as "not fit to be free," and the nation in sum as bringing ridicule upon the name "republic."<sup>16</sup>

Foremost among the advocates of the reform was S. P. Andrews, and his character and ability aided much to give the matter importance. Some time before he became prominent in this light, the Galveston *Advertiser* described him as possessing "talents of the first order" and as standing "confessedly at the head of the bar" in Texas, where he had been practising law some three years. His place of residence was Houston; but about the middle of March, 1843, he proceeded with a Mr. League to Galveston, and began cautiously to unfold the project of emancipation. Some of the people soon compelled him to leave the island. But the editor of the New York *Journal of Commerce* stated that a citizen of Texas,

<sup>16</sup> N. Orl. *Bee*, April 22, 1843; N. Orl. *Com. Bull.*, April 26, 1843. N. Y. *Journal of Com.*, May 19, 1843. N. Orl. *Tropic*: Wash. *Globe*, May 22, 1842. Balt. *Amer.*: Sav. *Repub.*, May 12, 1843. Boston *Daily Mail*, May 23, 1844. *Tropic*: Detroit *Adv.*, June 27, 1843.



not an abolitionist himself, reported that the scheme of discarding slavery still met with a good deal of favor in that country.<sup>17</sup>

By many Americans England was believed to be behind the movement. British influence was thought by not a few to be dominant in the nation, and as we have seen, reasons for this opinion could easily be discovered in the attitude of the administration newspapers and in the public utterances of the President. The *New Orleans Tropic*, which was not a Tyler sheet, said in May that as we had neglected Texas, the English now had a preponderant voice there, while popular sentiment—particularly on account of the American tariff—was indifferent or sometimes hostile to the United States. The public prints, doubtless under British influence, lean toward abolition, it added. The important *Picayune* of the same city announced that the English were reported to be aiming at the destruction of slavery in Texas; and a Galveston communication in the *London Times* mentioned that the emancipation scheme was attributed to Elliot. More significant still the *New Orleans Republican*, like many other papers in the United States, printed a letter from A. J. Yates to a Mr. Converse dated at Galveston in March, 1843, which stated that the writer had had "several conversations" with the British representative, and had learned from him that abolition would ensure Texas the warmest support of England in the struggle with Mexico and adequate financial means to effect the reform. Yates added that within sixty days the people would be ready to consider the subject in a convention, and that—particularly should free trade be adopted—the results would be most important; and he even declared that reports of Elliot's, despatched from Galveston at that very time, fully confirmed all this. Later he explained that his letter was hastily written, and that his remarks about the English minister were based upon "the substance of impressions received from conversation with him," together with his own "knowledge of the feelings and opinions of the British nation." But the obvious reasons for making some kind of an explanation and the character of the explanation itself left so wide a gap for suspicion as to what Elliot had really said, that probably the earlier communication was discounted but little; and this was the more natural because the

<sup>17</sup> *Adv.: Nat. Intell.*, June 12, 1844. Kennedy, Sept. 6, 1843: Pub. Rec. Off., "Slave Trade" reports, xxxii. *N. Y. Journ. Com.*, May 25, 1843 (edit. and Galv. letter).

British minister had gained the reputation of being an avowed abolitionist.<sup>18</sup>

Further it was alleged, as Elliot himself reported, that England had insisted upon the surrender of slavery as the condition of mediating between two South American republics, and it was then inferred that "the same concession" had been "required" of the Texans, for whom it was fully understood in the United States that she had agreed to interpose her good offices. Said the *New Orleans Republican*, "England is about procuring a settlement of the dispute between Mexico and Texas, and there is too much reason to fear that the reward for her interference will be the control of Texian affairs, for many years to come," which would involve, as the editor proceeded to explain, the disappearance of slavery; and the *Texas Times* gave in detail the story about English mediation in South America, and the resulting emancipation of the blacks in Uruguay. In short, said the *Baltimore American*, an able and conservative newspaper, there was little reason to doubt the active interposition of Great Britain in Texas on the side of abolition.<sup>19</sup>

In addition to all this it was stated by the American chargé that Andrews was known to be a close associate of Houston's and to have been with him at this period. It was a fact also, as we have discovered, that Houston favored emancipation; and as one holding so decided an opinion could hardly fail to let it appear occasionally, one is not surprised that the *Bee* of New Orleans attributed to him editorially a share in the design of making Texas "an abolition empire." Furthermore the Robinson terms had become known to the public, and though the people had expressed a decided sentiment against them, they had been made the basis of formal negotiations; and any thoughtful person could see that they implied the extinction of slavery. Thus there appeared to be a wide-reaching though mysterious tangle of England and the English with Houston's administration, Mexico and the abolitionists; and it was very possible to conclude, as did ex-President Lamar, that slavery in Texas was threatened by Great Britain in collusion with the Texan government. Public sentiment in the United States began to be aroused, and the results of all this began to be pointed out. The *Baltimore*

<sup>18</sup> *Tropic*: Wash. *Globe*, May 22, 1843. *Picayune*: Newark *Adv.*, July 11, 1843. *Times*, Oct. 19, 1843. *Repub.*, July 3, 1843. (Later) Galv. *Civilian*, Aug. 9, 1843. Smith, *Remin.*, 75.

<sup>19</sup> Elliot, secret, June 8, 1843. (Understood) *Nat. Intell.*, July 25, 1842. *Repub.*, July 3, 1843. *Times*, March 18, 1843. *Amer.*: Sav. *Repub.*, May 12, 1843.

*American*, for example, declared that should the scheme be carried through, the inhabitants of Texas would become alienated from those of the slave States; and, as she would naturally drift into British control, England could use her effectively against us in time of war.<sup>20</sup>

Our investigation of the matter has shown us that all these current suspicions had a substantial basis. Yet after all there was no very definite and tangible evidence of a public nature; nothing the masses could fasten upon; nothing Tyler himself could offer as fully satisfactory proof. June 24 the *Madisonian* burst out in this wise: "If Great Britain, as her *philanthropists* and blustering presses intimate, entertains a design to possess Mexico or Texas, or to interfere in any manner with the slaves of the Southern States, but a few weeks we fancy, at any time, will suffice to rouse the whole American People to arms like one vast nest of hornets. The great Western States, at the call of 'Captain Tyler,' would pour their noble sons down the Mississippi Valley by MILLIONS." This utterance, described later by the *National Intelligencer* as the first note of the Presidential organ in the cause of annexation, seems to reflect the attitude of the administration at that date. Tyler felt well enough satisfied that English designs were afoot in the Southwest, though he knew his information was incomplete and could not lay before the public even what he possessed; and he was trying to rouse popular sentiment in the United States in favor of securing Texas by appealing to the natural jealousy of foreign interference, exciting the prevalent distrust and fear of that old enemy, England, and touching in a suggestive way on the vague but general suspicion that somehow she was trying to undermine American slavery.<sup>21</sup>

<sup>20</sup> Murphy, No. 7, Sept. 24, 1843. *N. Orl. Bee*, April 22, 1843. Lamar, Letter, Nov. 18, 1845; *Galv. News*, Nov. 22, 1845. *Amer.: Sav. Repub.*, May 12, 1843.

<sup>21</sup> *Madis.*, June 24, 1843. *Nat. Intell.*, March 23, 1844.

## VI

### TYLER PROPOSES ANNEXATION

PRESENTLY events occurred which gave an open and undeniable sign that slavery in Texas was receiving close attention in England, and suggested plainly enough a great deal more. In June, 1843, as the concluding scene of a World's Convention on the same subject, the British and Foreign Anti-Slavery Society held its annual meeting at London. Lord Morpeth presided, and his principal speech began to be known in the United States before the twenty-fifth of July. According to the *London Times* he said he rejoiced to hear that there was a prospect of the abolition of slavery in Texas; while other accounts represented his language as much more pronounced. A letter published in the *Richmond Enquirer* said the address was as fiendish as ever came from the lips of a professing Christian. Another speaker observed, "I take this meeting as an indication that Great Britain is prepared to use every weapon she can wield to put an end to slavery"; and the logical connection between this remark and Texas could easily be made out. Resolutions were adopted by the Society expressing their "trust" that the abolition movement in that country would be "encouraged and strengthened by the due exertion of the influence of the Government and people" of England; and a letter from an American in London, published soon at New York, not only stated that the British cabinet had promised for its own share to comply with this desire, but affirmed that the promoters of the scheme felt sure of succeeding. Texas would then become, inferred the writer, an asylum for runaways and a perpetual incitement to murder, insurrection and outrage by the slaves of the southern States.<sup>1</sup>

Lewis Tappan was present at the convention. He went there, at the urgent request of John Quincy Adams, expressly to urge this subject upon the anti-slavery men and the government of England,—at least so a London letter printed by William Lloyd Garrison stated; and Tappan thrilled the convention by relating, if we may believe

<sup>1</sup> See General Note, p. 1. *Rich. Enq.*, July 25, 1843. *London Times*, June 22, 1843. *Enq.*, Aug. 11, 1843. (Resolutions) *London Times*, Aug. 11, 1843. (Letter) *N. Orl. Repub.*, Aug. 2, 1843.

Duff Green, how Adams had said to him that Great Britain ought as a Christian nation to require the abolition of slavery in Texas. Moreover Stacy publicly informed the Society that a number of the delegates had called upon Aberdeen, and that His Lordship—besides hearing attentively all they chose to say—had “promised that no legitimate means should be spared to effect the great object” of eliminating slavery from that republic. Thus could be seen the organized abolition sentiment of Great Britain, undoubtedly a tremendous force, concentrating its attention on this part of the world, reaching out with one hand to the advocates of freedom in the northern American States, and grasping with the other the foreign policy of the British government. So much was publicly known.<sup>2</sup>

The American Executive had also private advices; and since Everett was out of touch with the administration as a New Englander, as a Whig, and as an official whom Tyler had tried to shelve, they naturally received attention in spite of the minister’s ignoring the matter. One source of news was probably the Texan envoy at the Court of St. James, whose despatch of July 2 has already been presented. Smith recognized the importance of having his colleague in the United States well informed as to matters of importance in Europe, and it seems very likely that he sent a copy of that document to him. If he did, its contents were in all probability imparted more or less fully to Upshur, with whom Van Zandt was having most satisfactory interviews at about this time; and it may also have reached the secretary by way of Calhoun. Moreover Tyler’s biographer states that Smith wrote directly to the President, and we find Tyler saying under the date of August 28, 1843, that information had been received from the Texan representative at London.<sup>3</sup>

With reference to another avenue of communication from that capital we can speak still more positively. Duff Green was in London at this time on a semi-official errand; and as a Southern politician closely connected with Calhoun he had strong claims to the

<sup>2</sup> (Tappan) *Lib.*, July 28, 1843. (Green) *N. Y. Weekly Herald*, Oct. 14, 1843. (Stacy) *London Times*, June 21, 1843 (the words are those of the *Times*). Stacy’s report of Aberdeen’s promise was given in *Niles’ Register*, July 22, 1843. (A report of the meeting) *Madis.*, Aug. 4, 1843.

<sup>3</sup> Smith, No. 41, July 2, 1843: see p. 89. (Informed) Reily, No. 89, June [July] 11, 1842; Smith to Van Z., conf., Jan. 25, 1843: *Tex. Dipl. Corr.*, ii., 1103. Smith wrote to Everett, Oct. 31, 1843, that he would send full information to Van Z. (*Tex. Dipl. Corr.*, ii., 1145), but this does not prove that he had not already sent a brief account. (Interviews) Van Z., No. 104, Aug. 10, 1843. Among Calhoun’s papers we find a letter from Smith to Jones dated July 31, 1843 (*Jameson, Calh. Corr.*, 866), and others may have gone to Upshur and not have been returned. Tyler, Tyler, iii., 118, 121.

confidence of Smith. Probably he, and certainly some person vouched for by Upshur as "a man of great intelligence, and well versed in public affairs," now sent over a mixed but sufficiently alarming report of the British designs, and soon this document reached the State department. As the writer mentioned that confidential information on the subject had been furnished him by Smith, one may fairly suppose—though we have only a passage of the letter—that all the important points known to the Texan envoy were more or less fully given in this communication; and so it is clear that by the end of the first week in August the American Executive was notified that fairly definite plans, countenanced by the English government, had been devised to bring about abolition in Texas, and thus to gain important advantages at the expense of the United States.<sup>4</sup>

The effect of this was doubtless considerably enhanced by a ruse of Houston's. Just how the truce with Mexico came about we have taken pains to ascertain, and we are aware that it was not due, except in a very minor sense, to the good offices of England; but the Texan Executive in proclaiming it contrived to give the matter a flamingly red color, and shook it broadly at the United States. "Whereas," he began, "an official communication has been received at the department of state, from Her Britannic Majesty's Chargé d'Affaires near this government, founded upon a despatch he had received from Her Majesty's Chargé d'Affaires in Mexico, announcing to this government the fact that the president of Mexico would order a cessation of hostilities on his part"; and any intimation that the truce was not entirely attributable to the interposition of Great Britain was successfully avoided. "England," wrote Murphy with reference to the affair, "England may at this time be, setting on foot a negotiation, of vast consequence to the United States—and in all probability such is the case." Upshur doubtless had the same idea. Early in August Van Zandt found that he was "fully alive to the important bearing" which Texan slavery had upon that institution in the South, and very apprehensive that Great Britain was endeavoring to secure undue influence in the counsels of the junior republic; and, with a view doubtless to earn good-will in that quarter, our government decided at about this time to remonstrate against the sanguinary threats of Mexico.<sup>5</sup>

<sup>4</sup> (Green's mission) Reeves, Amer. Diplom., 125. Letter: Sen. Doc. 341, 28 Cong., 1 sess., 18.

<sup>5</sup> Aberdeen told Smith he did not think the Robinson plan had any connection

Upshur now communicated some of his ideas on the Texan question to Murphy for the general guidance of the chargé. First he quoted a passage from the letter probably written by Duff Green, unraveling its tangled account of the British plans with an ease that was almost Solomonic unless he had been given the benefit of Ashbel Smith's clear statement, and concluding that England had no doubt offered to co-operate in one way or another in favor of emancipating the Texan bondmen. He then proceeded to argue that probably this move was part of a general abolition scheme intended to develop "new markets for the products of her home industry, and at the same time to destroy all competition with the industry of her colonies." Continuing, he pointed out the value of the Texas market, the natural desire of Great Britain to sell goods and buy cotton there, the impossibility of preventing smugglers from bringing her manufactures into the United States by way of the Louisiana rivers, the weakness of Texas and the advantages that England could gain by controlling her, and the consequent injury threatened against the agriculture, the manufacturing, the shipping business and the public revenue of the United States. In the Secretary's opinion, however, the most serious danger lay elsewhere. For several reasons a "free" Texas would prove much worse than Canada or the non-slave States as an asylum for runaway negroes; friction would arise between it and the South; collisions would follow; the American government would have to choose between waging war upon its neighbor and attempting to coerce one-half of the Union; and in any event discord and injury would be certain to result. The scheme of a predominant British influence and the abolition of slavery in Texas, therefore, could "not be permitted to succeed without the most strenuous efforts" on the part of the United States to defeat it.<sup>6</sup>

This despatch has been condemned on several grounds. In the first place, it has been said to look toward interference in the concerns of an independent state. But no one would maintain, for example, that France ought to refrain from influencing the policy of Russia, Italy, Holland and Belgium, and permit Germany to combine those powers against her. All civilized nations interfere now in the

with English mediation (Smith, June 16, 1843). (Proclamation) *Niles*, lxxvi., 251. Murphy, No. 3, July 6, 1843. Van Z., to Jones, Aug. 12, 1843: Jones, Memor., 243. Van Z., No. 104, Aug. 10, 1843. (Remonstrate) To Thompson, No. 43, July 27, 1843.

<sup>6</sup>To Murphy, No. 6, Aug. 8, 1845: Sen. Doc. 341, 28 Cong., 1 sess., 18.

affairs of their neighbors. Only the kind of interference is open to question; and in this instance what Upshur had in mind—though not yet ready to announce the fact—was the admission of Texas with the free assent of her people to an equal share in what he regarded as a most beneficent political system. The indictment may, however, be amended, and it may be said that we meddled with a domestic affair of a foreign country. But as it happened, Texan slavery had international bearings just then, and the Secretary's action was taken altogether for that very reason. In the next place, the attitude of the American government has been condemned as looking toward national interposition in behalf of a local institution, slavery. But mackerel fishing is a local affair, yet the federal authorities would have been called upon without hesitation by New England, had any defence of the fisheries been necessary. Again, the President and the Secretary have been severely handled for proposing to commit the nation in the cause of a detestable institution. But this line of thought merely carries us back to the two points of view discussed in an earlier chapter. To those who regarded the support of slavery as an inexcusable crime the despatch could only appear heinous, but it must always be borne in mind that Upshur and Tyler considered slaves a form of property quite as legitimate as a mackerel fleet. To protect it seemed to such men a right and a duty; and it should certainly occasion no surprise that Southerners, finding themselves in possession of the government, used the power frankly in defense of their interests, just as Webster would no doubt have employed it in support of the tariff, which multitudes of good citizens regarded as merely highway robbery legalized.

By others the despatch has been thought exaggerated and alarmist; but in reality it made no mention of several points that keen eyes had in view. Nothing was said of the possible expanding of Texas with British support until she should become a rival of the United States, nothing of her obtaining the coveted port of San Francisco and even Oregon, nothing of her filling with monarchical Europeans wholly out of sympathy with the United States, nothing of her becoming the ally of England in a war against the Union, nothing of naval supremacy in the Gulf, nothing of her serving as a barrier and check to this country; and it is interesting to note that the *Revue de Paris* and other able journals of France expressed substantially the same opinions as the Secretary. No less worthy of remark as a comment upon the despatch is the view of Governor



Troup of Georgia. Should Texas abolish slavery, he wrote, her freedmen would cross the line and incite the American negroes to cut the throats of the white women and children, and against this danger the southern States would have a right "to protect themselves by all means in their power, as a case of imminent peril, and one not admitting of delay." With such a spirit at work friction and collisions could very safely be predicted.<sup>7</sup>

One popular criticism of the despatch, however, seems at first sight very just. How astonishing the disproportion between premise and conclusion! Apparently Upshur was ready to set the world afire on account of a rather vague and incoherent letter from a private citizen roaming in foreign parts. But this view of his course is impossible. He was a man of intellect, occupying a post of the gravest responsibility; and it is entirely probable that his letter received the sanction of the President and nearly or quite all of the cabinet of the United States. There must, then, have been some respectable basis for it, and this consideration tends very strongly to confirm the idea that in one way and another the substance of the information sent across the ocean by Ashbel Smith had been imparted to our Executive. So obvious is this inference, that one is surprised to find no conception of such a possibility cooling the imaginations of Upshur's critics; and one is the more surprised, because Tyler himself stated afterwards that alarming intelligence received from [Duff Green then in] London was confirmed by the representative of Texas at that post.<sup>8</sup>

Scarcely had the despatch to Murphy left Washington, when another red cloak was flaunted before the government's eyes. July 6 the Texan Secretary of State had notified Van Zandt that Houston deemed it inadvisable to pursue the subject of annexation farther at that time, preferring to occupy himself exclusively in settling affairs with Mexico; and the chargé, after waiting until he felt sure that Upshur had addressed the promised remonstrance to Mexico, communicated this decision verbally to him. Later Houston represented his action as intended to stimulate the annexation sentiment of the United States, and perhaps that was the true reason for it. But one ignorant of this purpose and in full view of the truce proclamation might only perceive that such a policy chimed most happily with

<sup>7</sup> *Revue de Paris*, Feb. 15, 1843; *Le Correspondant*, June, 1844. Harden, Troup, 526.

<sup>8</sup> Tyler to Eds. *Rich. Enq.*, Sept. 1, 1847: Tyler, Tyler, ii., 428.

the British designs in general and the great abolition scheme in particular.<sup>9</sup>

Some time afterwards Jones wrote that his instructions to Van Zandt under the date of July 6 "aroused all the dormant jealousies and fears" of the American government, and caused them to shake off "the apathy of seven years sleep over the question." Here one sees the author's partiality for his own work. Upshur's despatch to Murphy was by no means apathetic. But without a doubt Van Zandt's communication had the stimulating effect of a cold plunge, and the chargé proceeded to heighten the afterglow by studiously parrying all Upshur's inquiries on the subject. Then, to continue the sensation, the American newspapers announced early in September that Beales's huge claim had been presented to the Texan government; and, as Henderson thought the British Queen appeared to have in view "some other object than a desire of securing the rights of her subjects" in pressing their land claims at this time, so natural an idea may well have occurred to Upshur also.<sup>10</sup>

✓ On the eighteenth of September Van Zandt wrote to Jones substantially this: The announcement that my instructions regarding annexation had been suspended has seemed to fire Upshur's zeal. In every interview he has spoken of the project; and he has assured me several times that it was the great measure of the present administration, that under directions from the President he was actively preparing the minds of the people for it, and that as soon as it should be thought safe, the proposition would be renewed by the United States. Today he told me that early action was contemplated, and he desired the Executive of Texas to be so informed immediately, in order that our representative here, should a treaty be favored by us, might be given power to act on the proposition in case it should be made—as Upshur thought would be the fact—before the assembling of Congress. He said that he could not make the overture now, and probably not in time to receive an answer before Congress would convene; but he believed the next Senate would favor the measure, and he explained in detail the grounds of his opinion, such as reports from correspondents in various parts of the country. In all this I consider him serious, but the state of

<sup>9</sup> To Van Z., July 6, 1843. Van Z., No. 104, Aug. 10, 1843. Houston to citizens, Oct., 1845: F. O., Texas, xiv.

<sup>10</sup> Jones, Letter: *Niles*, Jan. 1, 1848, p. 281. (Parried) Van Z. to Jones, Aug. 12, 1843: Jones, Memor., 243. (Beales) E. g., Baltimore *Clipper*, Sept. 7, 1843. Hend. to Jones, Oct. 1, 1843: Jones, Memor., 257.

things here is such that nothing can be considered certain until it is done. There would be a fierce fight in the Senate, yet in the end I think the cause of annexation would triumph.<sup>11</sup>

The next day the packet-ship *Victoria* arrived at New York with fresh oil for Tyler's fire. In the House of Lords on August 18 Brougham had spoken in effect as follows: Were Texas to abolish slavery a demand for free labor would ensue, and that would be of importance to all countries having a surplus population. This makes me "irrepressibly anxious" to have the negroes unshackled there. When the United States, losing the Texas market, find they can no longer "be a breeding country, you will have solved that great problem of the human race—they must emancipate their slaves." Now there is "a very great chance" that Texas would adopt this reform if Mexico should make it a condition of recognizing her, and therefore I have "the greatest hopes" that if through our good offices this recognition is given, an end will be put to "the hideous crime" of breeding negroes in the United States for sale beyond the Sabine, and consequently to the existence of slavery in that great country. What, then, is the state of negotiations with Texas? To this Lord Aberdeen replied that England had done all she could to obtain recognition for the young republic, and that he scarcely needed to say that "every effort would be made" by the British government "to effect the result which was contemplated by the noble and learned lord who had just addressed the house." Said the New Orleans *Commercial Bulletin* with reference to this colloquy, "The distinctness and boldness of these announcements indicate that the plot is nearly ripe"; and apparently the remark was not without some justice.<sup>12</sup>

Three days after the *Victoria* came in Upshur wrote confidentially to Murphy. I am sorry, he said, that any in Texas misconstrue the friendly sentiments of the United States. We have every motive "of interest as well as feeling" to sympathize with, encourage and aid that country, and we are anxious to have this understood, for the "policy and measures" of England in that quarter have given us good cause for alarm. Already she claims to exercise control there, and men in Parliament speak of maintaining her "ascendancy." Unfortunately for us it is "somewhat doubtful" how far the Execu-

<sup>11</sup> Van Z., No. 107, Sept. 18, 1843. A distinct intimation will be noted here that Tyler desired to lay the subject before Congress in his annual Message.

<sup>12</sup> *Nat. Intell.*, Sept. 23, 1843. *London Times*, Aug. 19, 1843. *Bull.: Madis.*, Oct. 9, 1843.

tive would be supported by the people in giving Texas prompt and effectual aid, as he would be glad to do. In the slaveholding section, however, no difference of opinion in this matter exists, and many in the other States are "sufficiently liberal to embrace a policy absolutely necessary to the salvation of the South, although in some respects objectionable to themselves." In reality the annexation of Texas would mainly benefit the North. The other section would only gain security at the expense of raising up a powerful agricultural competitor, but the North would obtain new markets, cheaper cotton, and more employment for its vessels. "No effort will be spared to lay the truth" before the people in that quarter. If we succeed in convincing them, the cause of Texas will be bright; and if not, it will be no worse than now. Hence that country has every reason to await patiently the result of our exertions. If she accepts British protection, she will be the lamb in the embrace of the wolf. You cannot be authorized to say these things officially, because it is not certain how far Congress will sustain the Executive; but you should know our views and feelings, and you are to use your own discretion in giving informal expression to them. Do not allow Texas to favor England with the idea that the American government or people are hostile or even cold. Watch Great Britain closely. Her policy threatens to endanger the peace of the world.<sup>13</sup>

After revolving the subject in his mind about a week more Upshur addressed Everett, calling his particular attention to the remarks of Brougham and Aberdeen in the House of Lords. Brougham undoubtedly knew, observed the Secretary, that England had contemplated negotiations with Texas for the abolition of slavery there, and that probably such negotiations were already in progress. But he had in mind as more important the emancipation of the negroes in the United States; and as he declared that Aberdeen's reply would be "received with joy" by all who favor the objects of the anti-slavery societies—that is to say, favor universal emancipation—it may be inferred that Aberdeen also had our country in mind. This appears the more probable because the minister said nothing, in answering Brougham, to show that he had been misunderstood; and he would not in so serious a matter have permitted a misapprehension to pass. It is therefore fair "to understand his language as an avowal of designs which, whether so intended or not, threaten very serious consequences to the United

<sup>13</sup> To Murphy, Sept. 22, 1843: Sen. Doc. 341, 28 Cong., 1 sess., 25.

States"; and "information received from other sources" points to the same conclusion. Now foreign governments must not interfere with our institutions, and so we must "know distinctly, and without doubt, how far our just apprehensions upon this point are well founded." Even were the designs of Great Britain limited to Texas, we could not be indifferent. Abolition there would be "highly injurious to us"; and while we could not complain, were Texas of her own free will to give up that system of labor, we can rightfully object if she is constrained to adopt such a policy. What then is the truth? Is England aiming to bring about the emancipation of the negroes in Texas? Does she design to destroy or affect slavery as it exists in the United States? What measures has she adopted to accomplish both or either of these ends? Obtain information from all sources, particularly from the Texan representative and by direct application to Lord Aberdeen, and send us full and frequent reports.<sup>14</sup>

These instructions were supplemented with a confidential letter, for a Massachusetts man like Everett could not be expected to take a Southerner's view of the matter without assistance. England, he pointed out, desires to bring about universal emancipation in order to build up her colonies, in order to gain control of Texas with a view of monopolizing that market for her manufactures, and in order to embarrass a formidable rival by destroying slavery in the United States; and then he took up his third point in detail. Should the negroes of the southern States be emancipated, he said, they could not remain as equals where they have existed as slaves and they would stream rapidly away, ruining Southern agriculture by depriving that section of laborers, cutting off therefore a very large part indeed of our exports, reducing in the same proportion our ability to purchase abroad, breaking down our public revenue by greatly diminishing the volume of imports, compelling the government to gall the people with hateful and embarrassing direct taxes, crippling the mills, railroads and canals by taking away in large measure all branches of the cotton business, and filling the North with a horde of ignorant paupers, who could not fail to be clamorous for civil and social rights, mortally harmful to the prosperity of the white laborers, and productive only of discord and misfortune. To avert such evils the door would be shut

<sup>14</sup> To Everett, No. 61, Sept. 28, 1843: Sen. Doc. 341, 28 Cong., 1 sess., 27. Evidently Upshur expected nothing very important in answer to his letter, for he proceeded in the annexation business without awaiting a reply.

against the freedman everywhere, and his extermination would be the consequence. After this exposition Upshur touched upon the dangers of smuggling, of collisions between the slave States and Texas, and of the ill-will between South and North that would soon follow, were Texas to come under British control and abandon slavery; and finally he suggested that England might next proceed to secure a firm grip on the trade of the Gulf by bringing emancipation about in Cuba and gaining possession of what would then be an unprofitable island. Whether for weal or for woe, he concluded, slavery is fastened upon us; it has become so closely interwoven with the life of the South, fibre with fibre, that no wise statesman would risk the experiment of attempting to eradicate it; and no foreign government can be permitted to interfere in the matter upon any pretext.<sup>15</sup>

By this time Calhoun had probably received the copy of the despatch written by Ashbel Smith to his government on the last day of July, which we find among his papers. In this, it will be recalled, the Texan envoy stated that in answer to a direct inquiry Aberdeen had referred to the extinction of slavery in Texas as very desirable, insisting upon this point not only as connected with British interests but also "in reference to the United States," and admitting that Doyle had been instructed to offer British mediation at Mexico on the basis of Texan independence conjoined with Texan abolition. England, remarked Smith, desires to effect this change in our country with some regard to her own colonial and commercial interests, but "mainly in reference to its future influence on slavery in the United States." Such was his direct report of Aberdeen's admissions. Now Calhoun mentions that he sent the despatch to Upshur with a long letter urging him to adopt "some decided measure" to defeat the scheme; and one may assume that he sent it promptly. By the middle of October, then, it was very likely in the Secretary's hands.<sup>16</sup>

Meanwhile, however, domestic trouble seems to have created complications. The newspapers had a good deal to say at this time about dissensions in the President's official family. They were described as serious, and Texas was mentioned as the cause. Indeed Upshur admitted that one or two of his colleagues might not be

<sup>15</sup> Sen. Doc. 341, 28 Cong., 1 sess., 31.

<sup>16</sup> Page 90. It seems far more probable that Calhoun received this copy from Smith or Van Z. than that Jones or Houston sent it to him.

favorable to the grand project; and as Spencer had not yet retired, it is clear that such was the case. Another reason for delay was the desirability of ascertaining the opinion of the Senate, and Upshur informed Van Zandt that he was personally engaged in this investigation. Early in 1844 the *Madisonian* printed a letter signed by "William Penn," apparently a well informed person, who said the Secretary "communicated very fully and freely his purposes and his wishes in regard to this great measure" to Senators of both parties; and numerous indications tend to confirm the statement. Among his papers there was found after his death a list of Senators, and the names were marked "Certain for" or "Certain against." The former included two-thirds of the number, and the analysis was believed to have reference to annexation. At Upshur's request Gilmer assisted in the work of inquiry, and not only were sentiments investigated but efforts were made to influence them. As an illustration of what could be done in this way, it was for the sake of mollifying Benton—or at least partly with that end in view—that Frémont had been appointed to lead the exploring expedition of 1843. Apparently the prospect was favorable. In fact the President himself stated later that before the proffer of annexation was formally made to Texas he received "assurances from the only reliable quarter that the treaty, when negotiated, would be ratified by a constitutional majority of the Senate"; and according to the editor of the *Madisonian* Upshur was led to expect that even Webster would not oppose the plan.<sup>17</sup>

The question of method also had to be considered. A treaty seemed the most natural and proper avenue to annexation, though it was believed that Texas could be admitted as a State by an act of Congress. Besides, the treaty method was particularly favorable to secrecy; and while it had a disadvantage as regarded the less important party, since the treaty-making power could only admit her to the Union as a Territory, it presented an advantage with reference to ratification, for the great battle over slavery in that region would naturally be deferred until the question of statehood should arrive. Moreover the instructions of the Texan government to their representative in 1836 had required that a treaty should be

<sup>17</sup> N. Y. *Herald*, Nov. 10, 1843. N. Orl. *Courier*, Nov. 20, 1843. Van Z., No. 107, Sept. 18, 1843. (Spencer) *Niles*, Oct. 2, 1847, p. 69. Tyler, Tyler, ii., 278, 284, 283, 348, 276, 396. *Madis.*, April 25; March 30, 1844. Upshur was killed Feb. 28, 1844.

made, to be submitted to the Senate of that country for approval. It was therefore decided to adopt this method.<sup>18</sup>

On the sixteenth day of October, then, Upshur addressed a note to Van Zandt. The government and many people of the United States, he said, have been giving "serious attention" to the subject of a treaty annexing your country. Recent occurrences in Europe have presented this matter in "new and important aspects," and "unless the views of the administration shall undergo a very great and unexpected change, I shall be prepared to make a proposition to that effect, whenever you shall be prepared with proper powers to meet it." Obviously no positive assurance can be given that all branches of the government would accept the measure; but our desire is "to present it, in the strongest manner, to the consideration of Congress." In other words, as far as the American Executive was concerned the door of the Union stood at last unbarred.<sup>19</sup>

At this point one is tempted to offer a few reflections,—not as historian but merely as observer. Evidently there was no collusion between the American and the Texan governments and no conspiracy anywhere. Houston was playing his own game as best he could, and probably he intended to disappoint the United States; and on the other side few politicians experienced enough and shrewd enough to reach the American Senate could have been sounded so delicately on the momentous issue of annexation as to prevent them from discovering what was in the wind, and of course they talked about it more or less confidentially with colleagues and friends,—that is to say, conveyed to a rather large circle, all told, some intimation of the matter. In the next place, Tyler's personal motives were entirely justifiable, as the world goes, and both he and Upshur did their plain duty as public men in their environment were sure to see it. One only need ask, as to this, what would be the verdict of history upon them as the executive officers of a people deeply engaged in the strife of international competition, had they closed their ears to the distinct intimations of danger that reached them, and permitted affairs to move on as we have found they were headed. Thirdly,

<sup>18</sup> W. D. Miller, special secretary of the Texan legation, stated to Jones, April 28, 1844 (Jones, Memor., 345) that annexation by act of Congress would be deemed unconstitutional "or at least irregular"; and this probably represented Tyler's apprehensions in that regard. *N. Y. Journ. Com.*, April 16, 1844. Austin to Wharton, Nov. 18, 1836: *Tex. Dipl. Corr.*, i., 127.

<sup>19</sup> Upshur to Van Z., Oct. 16, 1843: *State Dept., Notes to Tex. Leg.*, vi., 59. Tyler's account written some years later (Tyler, Tyler, ii., 428) is inaccurate as to some details, as one would expect.



the method adopted to avert the peril was the most available and very likely the only effectual one that could have been devised; and, finally, that plan involved no bloodshed or violence but rested on the anticipated assent of the countries principally concerned, was expected to confer great benefits upon both of them, and probably would not be undone to-day by one sane individual out of our ninety millions. To require more than all this of statesmen would be exacting indeed.

## VII

### FORESHADOWINGS OF THE ANNEXATION STRUGGLE

TYLER did not wait very long after becoming President before letting it be seen that he had a kindly eye upon Texas. In his first annual Message, December, 1841, he said: "The United States can not but take a deep interest in whatever relates to this young but growing Republic. Settled principally by emigrants from the United States, we have the happiness to know that the great principles of civil liberty are there destined to flourish under wise institutions and wholesome laws, and that through its example another evidence is to be afforded of the capacity of popular institutions to advance the prosperity, happiness, and permanent glory of the human race." This warm eulogium, which represented the Lone Star republic in a considerably more rosy light than many had seen around it and was also rather dragged into the Message, had for the thoughtful a very significant look. Presidential newspapers, too, spoke so cordially of Texas that in the opinion of John Quincy Adams, as he noted in his diary, their utterances amounted to a "formal notice" of the annexation issue, served upon the public. As if to confirm this impression Henry A. Wise, the President's friend, was soon heard arguing in the House of Representatives for the acquisition of that country. One section, he urged, had a boundless outlook towards the west; must its rival, at the bidding of the English party of the North, stop forever at the Sabine?<sup>1</sup>

Like others, a Washington correspondent of the *Boston Courier* invited public attention both to the President's eulogium and to Wise's speech; and he mentioned also that the principal Tyler papers, which had steadily favored the incorporation of Texas, had been teeming for months past with news from that quarter and with tirades against Mexico, after the fashion of the old annexation campaign. The South is alarmed about losing the control of Congress, argued the correspondent; Thompson, a prominent advocate of annexation, is appointed minister to Mexico; claims against that

<sup>1</sup> See General Note, p. 1. Richardson, Messages, iv., 79. Adams, Memoirs, xi., 29. (Wise) Ho. Rep., Jan. 26, 1842: *Cong. Globe*, 27 Cong., 2 sess., 174.

country are revived; and the attempts to arouse a war fever over the imprisonment of the Santa Fe raiders are most persevering. Garrison's *Liberator* copied this letter, and soon the Boston Liberty party adopted a resolution against receiving Texas or joining her in war upon Mexico. In some less impressionable quarters, also, attention was awakened. The South wants that region, concluded the Philadelphia *Gazette*, for example. Generally, however, Wise's speech—an incidental and perhaps accidental outburst—appears to have been taken rather lightly. He was a friend of the President no doubt, but with equal certainty he was erratic and hot-headed; and on a sharp sectional issue he was very liable to speak without full deliberation. But in April he returned to the charge. Why not annex Texas? he demanded; slavery is there already, and annexation instead of extending the system would enable us to mitigate its evils. In fact we must annex that country, he insisted, or else allow her to conquer Mexico, plant slavery there, and become our most dangerous and formidable competitor.<sup>2</sup>

In September of the same year (1842) John Quincy Adams, addressing his constituents at Braintree, endeavored in a very elaborate manner to prove that a great conspiracy was afoot—and had been from the time of Jackson—to obtain territory at the expense of Mexico. The positions that he took were in several instances extreme, for probably his object was not so much to instruct as to excite sluggish and preoccupied minds; and it must be conceded that a number of his statements are now seen to be incorrect. Jackson had gone so far, he asserted, as to offer the governorship of Texas Territory to Burton; Houston had been "expatriated for the purpose" of creating a revolution there; and the Texan revolt had been "precipitated if not chiefly caused by the abolition of Slavery by the Mexican Government." It is not, however, necessary to examine this eloquent speech in detail. It must have produced a thrill, but its lasting results appear to have been very slight, for the people in general believed that no annexation project would now have a chance of success. Even the New York *Tribune* remarked that it had received letters for and against the acquisition of Texas, but had "no room to waste on fighting shadows."<sup>3</sup>

Soon, however, this particular shadow became substantial. In January, 1843, ex-Governor Gilmer of Virginia published a letter in

<sup>2</sup> *Courier: Lib.*, March 11; April 15, 1842. *Gazette: Lib.*, May 6, 1842. *Niles*, liv., 174.

<sup>3</sup> (Adams) *Boston Atlas*, Oct. 17, 1842. *Tribune*, Nov. 14, 1842.

favor of annexation. The only interest in the country which could be injured by adopting the measure, he reasoned, was that of the cotton and sugar planters; while the free States would reap great commercial advantages. As for slavery, he believed that the North desired the Union to continue and would be ready to confirm it by welcoming Texas, thus recognizing the mutual rights upon which the national compact rested. If we do not receive her promptly, continued the Governor, England will "either possess or control" her, discord between the two republics will ensue, and the present inclination of the Texans to join us will disappear; consequently the opportunity now presented should be seized without delay. Such a letter was wholly unexpected, and it made its appearance quite unheralded. Benton described it as "a clap of thunder in a clear sky." Very differently it sounded from remarks dropped in the heat of debate by the fiery Wise, and Gilmer's close political connections with Tyler and Calhoun naturally added to the weight of his utterance. Somehow the opening gun of a battle seemed to have been fired. In two weeks the *Baltimore American* observed: The subject of the annexation of Texas "begins to attract much attention"; and D. L. Child, writing from Washington, said that Gilmer's act had revived the old question. Yet some of the leading journals totally ignored it, and presently like so many sensations it faded from sight.<sup>4</sup>

John Quincy Adams and other anti-slavery members of Congress read the letter, however. They became alarmed, and early in March he and twelve of his colleagues issued a circular. It is proposed, they said, that "the undue ascendancy of the slave-holding power in the Government should be secured and riveted beyond all redemption." With a view to this end, settlements have been made in Texas, difficulties with Mexico fomented, a revolt brought about, and an independent government established. The failure of the mother-country to recover her province has been due to the unlawful aid of American citizens and the co-operation of the American Executive. In a very improper fashion Texas has been recognized, and now it is intended to consummate the scheme. But "no act of Congress or treaty for annexation, could impose the least obligation upon the several States of this Union, to submit to such an unwarrantable act, or to receive into their family and fraternity such misbegotten and illegitimate progeny." The introduction of Texas, therefore,

<sup>4</sup> (Gilmer) *Madis.*, Jan. 23, 1843. Benton, *View*, ii., 581. *Amer.*: *Rich. Enq.*, Jan. 26, 1843. *Lib.*, Feb. 3, 1843. It was Gilmer's letter that gave A. V. Brown an excuse for writing to Jackson as we have seen that he did.

would fully justify a dissolution of the Union. Indeed, it "WOULD BE IDENTICAL WITH DISSOLUTION"; and all should co-operate for the defeat of "this nefarious project."<sup>5</sup>

In line with the circular, resolutions were passed the same month by the Massachusetts legislature, declaring that annexation would be dangerous to the continuance of the Union "in peace, in prosperity, and in the enjoyment of those blessings which it is the object of a free Government to secure"; and the New York *Tribune* soon protested that the adoption of Texas for the sake of strengthening slavery there and in the United States would "convulse all Christendom with indignation and alarm." In general, however, the circular met with little favor. The Baltimore *Clipper*, for instance, remarked that it had no wish for annexation but could not endorse the violent language of Adams and his associates; while the *American* of the same city went so far as to say that unless Texas could be bound to the United States in some way as a friend, she would inevitably become hostile. Little regard has been paid to Adams's warnings, admitted the New York *Tribune* in September; and the Detroit *Advertiser* confessed at about the same time that a general lethargy on the subject prevailed, attributing this condition of the public mind to the fact that the question of bringing Texas within the pale had been before the country a long time, yet its advocates had been able to accomplish nothing.<sup>6</sup>

Meantime the administration, far from desiring to "spring" an annexation treaty upon the nation, began systematically to prepare the public mind for that subject. In August, for example, the *Republican* of New Orleans, which bore the words, "Official Gazette of the General Government," published a discussion of it; and the British consul at Galveston reported to his government that according to a person whose trustworthiness he had "long known," the materials for this and other articles in a similar vein had been received from a "qualified" source at Washington. From the same quarter came advice also. "This journalist was counselled to avoid political extremes, so that, by appealing to the interests of all sections, unanimity of action might be secured"; to stimulate the South by expatiating on the danger of emancipating 15,000 Texan slaves,

<sup>5</sup> Detroit *Adv.*, May 15, 1843. *Nat. Intell.*, May 4, 1843.

<sup>6</sup> (Mass.) Sen. Doc. 61, 28 Cong., 1 sess. *Tribune*, May 16; *Clipper*, May 9; *Amer.*: N. Orl. *Courier*, May 15; *Tribune*, Sept. 20; *Adv.*, Sept. 7, 1843. Von Holst has expressed the opinion that the circular of Adams *et al.* made "a terribly forcible impression on hundreds of thousands" (U. S., ii., 620), but the evidence does not seem to support this view.

as well as on "the loss, by Texan rivalry, in the Cotton Market of England"; while "to the North, independent Texas was to be held up as a sort of British Colony, whose smuggling operations would defeat any Tariff, and whose Anti-American prejudices would be fostered by British capital and emigration." Needless to say, the *Republican* followed up the campaign, though perhaps with more local color than the instructions from Washington had contemplated.<sup>7</sup>

According to the *National Intelligencer*, the New York *Aurora* best represented the views of the Executive, and a series of articles on this subject began to appear in its columns during the latter part of August. The first of these dwelt upon the identity of American and Texan interests, the kinship of the settlers beyond the Sabine,—who loved the Union all the more because just then away from home,—and the proposition to abolish slavery in their country on the understanding that England would become a "foster-mother" to them; and the second pointed out that abolition in Texas would cause the negroes of the Southwest to run away by the wholesale, produce irritation and armed collisions, fomented by England, between their masters and the Texans, lead to servile insurrection in the South, and finally bring about a dissolution of the Union. The *Madisonian* on the other hand kept itself discreetly in the background for a while, merely quoting from the *Aurora* and other papers; but the remarks of Brougham and Aberdeen were too strong for its equanimity, and it revealed one side of Tyler's mind by declaring that whoever should contribute most effectively to carry through the measure of annexation, so important for the United States and so ardently desired by Texas, would "receive the plaudits of the country both present and future."<sup>8</sup>

To trace the consequences of the administration's promptings at length is unnecessary, but it is worth while to mention an editorial that appeared in the *Old School Democrat*, a distinctively Tyler paper of St. Louis. Its argument in this particular issue was, that in

<sup>7</sup> (Prepare) Van Z., No. 107, Sept. 18, 1843. *N. Orl. Repub.*, Aug. 29, 1843. Kennedy, Sept. 6, 1843: *Pub. Rec. Off.*, *Slave Trade*, xxxii. Clippings from *N. Orl. Repub.* sent by Arrangoiz, No. 96, Sept. 14, 1843. With reference to the famous accusation that Tyler intended to spring the Texan affair just before the Democratic convention in May, 1844, it is worth noting that according to Consul Kennedy the New Orleans journalist was notified from Washington that the President would present the subject in his next Message (see also Chapter vi., note 11).

<sup>8</sup> *Nat. Intell.*, May 1, 1844. *Aurora*, Aug. 23, 24, 1843. *Madis.*, Sept. 27; Nov. 3, 1843. According to Scott (to Sen. Crit., Oct. 14, 1843: Coleman, *Crit.*, i., 204), Upshur himself was the author of certain bellicose articles on British designs regarding Texas that appeared in the *Madis.*

order to balance the sections in Congress and protect an important southern interest recognized by the constitution, Texas ought to be annexed; and that were she to come under the influence of England, slavery in the United States would be imperilled. In other words, from the special Southern point of view the acquisition of that country was desirable for two reasons: first, to strengthen slavery against domestic enemies by obtaining more political power in the United States government, which was important; and secondly, to prevent England from undermining its very existence, which was essential.<sup>9</sup>

These foreshadowings led many to conclude that a scheme of annexation was soon to be brought forward by the administration. The Cincinnati *Herald*, an abolitionist paper, began to predict this in August, 1843; and the *Philanthropist* and the *Liberator* followed suit. In October, the New York *Tribune* and the Milwaukee *Democrat* said that a strong push to secure Texas might be expected; other journals pointed in the same direction; and, on the last day but one of that month, the Vermont legislature protested that the annexation of the coveted area would be "unconstitutional, and dangerous to the stability of the Union itself."<sup>10</sup>

So pronounced, indeed, were the indications that the Mexican minister, Almonte, addressed our Secretary of State at the beginning of November, asserting that the American Congress was soon to consider the advisability of appropriating a valuable portion of the Mexican territory, and that, should the Executive sanction this aggression, he should consider his mission at an end, since his government were "resolved to declare war" on receiving notice of such action. To this a reply was made in the tone of aggrieved innocence; upon which Almonte remarked that Adams's circular and the articles in the *Madisonian* seemed amply to justify his protest, and suggested that Upshur make a formal declaration denying all knowledge of plans to acquire the territory in question. This required the Secretary to come out of the shadow a little more; and he answered that Mexico, before denouncing and threatening, should have inquired through the proper channel whether a scheme to annex Texas existed, and therefore in view of the course actually pursued a disavowal was not due from the President. Under no circumstances, he continued, could the Executive undertake to speak for

<sup>9</sup> *Old School Dem.*, Nov. 27, 1843.

<sup>10</sup> *Herald*, March 22, 1844. *Philanthropist: Lib.*, Oct. 6, 1843. *Lib.*, Nov. 3, 1843. *Democrat*, Oct. 14, 1843. *Tribune*, Oct. 11, 1843. (Vt.) Sen. Doc. 166, 28 Cong., 1 sess.

Congress; but certainly the United States had good reason to regard Texas as an independent country, and they "would not consider it necessary to consult with any other nation" in their transactions with her government. This correspondence, while in no way conclusive, amounted to a strong hint that something was in agitation. Doubtless, though veiled in diplomatic privacy, it became somewhat known and tended to make the public think; and at this time the Texan envoy reported that the interest in annexation was increasing daily. "It is the leading matter of inquiry by almost every prominent man I meet," he said. Those favorable to the measure assured him that no previous outlook had been so auspicious; and the evident alarm of Adams was perhaps not less encouraging.<sup>11</sup>

Precisely on the date of Almonte's protest the *Madisonian* took a fresh start. Murphy, the American chargé in Texas, had obtained the correspondence between Elliot and Jones regarding the truce with Mexico; and a very inaccurate version of it, sent by a Galveston correspondent to the New Orleans *Tropic*, had now reached Washington. According to this account the Texan commissioners were to accept the nominal sovereignty of Mexico, Houston would become Governor General for life, and Texas would be transferred to England, with abolition and free trade as inevitable corollaries. The *Tropic* vouched for the information as "derived from the very highest and most undoubted source"; and from this time on the alleged abolition negotiations of Houston with the British government became a burning topic not only with the *Madisonian*, but with journals in many sections and even as far north as Massachusetts. The Boston *Advertiser*, for example, expressed the opinion that "without doubt" such negotiations were going on; and annexation, the natural panacea for all this, could not fail to receive more attention in consequence of these alarms.<sup>12</sup>

As the sheets favorable to the administration pursued the subject and Congress was soon to meet, it seemed to many quite probable that something would be said about the great issue in the President's annual Message. Very likely, too, the confidential instructions addressed to the New Orleans *Republican* and presumably to the *Aurora* and other journals, intimating that such would be the case,

<sup>11</sup> Almonte to Upshur, Nov. 3, 1843: Sen. Doc. 1, 28 Cong., 1 sess., 38. Upshur to Almonte, Nov. 8, 1843: *ib.*, 41. *Id.* to *Id.*, Dec. 1, 1843: *ib.*, 45. Van Z., No. 110, Nov. 4, 1843.

<sup>12</sup> Letter to *Tropic*, Oct. 3, 1843: *Madis.*, Nov. 3, 1843. *Galv. News*, Oct. 10, 1843. *Madis.*, Nov. 20, 22, 23, 1843. *Adv.*, Nov. 7, 1843.



leaked out. A considerable number of papers expressed the belief that something of the sort might be done, and the *Madisonian* fanned the flame by replying with the query, "Who knows that the President will say one word about Texas?"<sup>13</sup>

When the Message appeared, however, no recommendation on the subject was found there. Yet Texas did occupy a prominent place. Almonte's protest was mentioned with the comment that neither Congress nor the Executive would be influenced in its action by a fear of consequences. Quite significant seemed also the emphatic declaration that war between Mexico and Texas ought now to cease. The effect of continuing hostilities, Tyler explained, might be to weaken Texas and enable foreign powers to interpose there in a manner injurious to American interests; and he further announced that we could not be expected to suffer patiently from a resumption of military operations after so long an interval of peace. What was more, said the President, "The high obligations of public duty may enforce from the constituted authorities of the United States a policy which the course persevered in by Mexico will have mainly contributed to produce, and the Executive in such a contingency will with confidence throw itself upon the patriotism of the people to sustain the Government in its course of action." Evidently this meant a good deal, but precisely what could not be told; and Tyler made no efforts to enlighten the public. The President says little about Texas, wrote Webster; and almost the same day the *National Intelligencer*, pronouncing annexation "a mere dream" and ridiculing the talk of English anti-slavery designs in Texas, professed to believe that Tyler did not share the opinions emitted by the *Madisonian* on those topics. The Whigs, wrote A. V. Brown to Polk, decided that the President had nothing more to offer on Texan affairs, and suspected that his intention had been merely to cause trouble between North and South, hoping to profit by the confusion. Such, however, was not Brown's own belief, and three days later he confided to a correspondent that within a few weeks a treaty providing for annexation would "most probably" be concluded.<sup>14</sup>

<sup>13</sup> N. Y. *Herald*, Nov. 10; *Newark Adv.*, Nov. 25; N. Y. *Evening Post*, Nov. 15; *Columbia (Pa.) Spy*; *Madis.*, Nov. 17; *Boston Adv.*, Nov. 16; *Phil. No. Amer.*, Nov. 24; *Madis.*, Nov. 23, 1843.

<sup>14</sup> Richardson, *Messages*, iv., 257. Tyler said (p. 260): If the Mexican threat was designed to prevent Congress from considering annexation, "the Executive has no reason to doubt that it will entirely fail of its object," and the Executive will not "fail for any such cause to discharge its whole duty to the country." The British and French chargés in Texas endeavored to make this Message seem

The day Congress met, Brown spoke to Benton as they went down the Capitol steps, referred to the incorporation of Texas as imminent, and remarked that as the Missouri Senator not only had opposed the surrender of that region but had favored regaining it, he would be a proper person to take a leading part now in its recovery. Benton was evidently no stranger to the topic, and he replied hotly that on the part of some the project was an intrigue for the Presidency and a plot to dissolve the Union, while with others it was a scrip and land speculation, and that he himself was against it. This was rather discouraging; yet for a time the *Madisonian* kept up the fire vigorously, and during a large part of December articles on the subject appeared almost daily in its columns. English inducements offered to the leading men of Texas, the selfish interests of Britain, and the growth of abolition sentiment in the Northeast were favorite themes; and when the *Commercial Advertiser* of New York declared that the precious humbug of annexation was about done for, it retorted, "Humbug or not—TEXAS WILL BE ANNEXED TO THE UNITED STATES." Meanwhile the continued vitality of the question was suggested by the presentation of adverse resolutions and petitions in Congress; and Black of Georgia made a similar suggestion by giving notice in the House (January 15, 1844) that he proposed to move the provisional incorporation of Texas. Somehow neither the favorable nor the unfavorable occurrences at the Capitol excited much remark there, but this did not mean that no one felt concerned about the matter. Annexation is the question of the day, reported the Texan chargé, though both friends and enemies are careful to avoid mentioning it in the national legislature.<sup>15</sup>

Gradually an impression became general, however, that for some reason the prospect of a campaign on this issue had grown fainter; and Horace Greeley, writing from Washington on the twentieth of December, said there was no need of an anti-Texas agitation, for that country did not ask for annexation; England opposed it; Mexico threatened war against it; three-fourths of the Americans did not wish it; and even the South, having nothing to gain from it and favoring a strict construction of the constitution, stood on the same ground. What contributed largely, or perhaps mainly, to give

to the Texans offensive (Yoakum, Texas, ii., 419). Webster to Allen, Dec. 3, 1843: Webster, Writings, xvi., 417. *Nat. Intell.*, Dec. 2, 1843. Brown to Polk, Dec. 9, 1843; Polk Pap. Id. to Armstrong, Dec. 12, 1843; Jackson Pap.

<sup>15</sup>Benton, View, ii., 582. *Madis.*, Dec. 4, 12, 19, 1843. *Cong. Globe*, 28 Cong., 1 sess., 55, 56, (Black) 147, 168, 174, 175, 243, 291, 337, 346. Van Z., No. 112, Jan. 2, 1844.

such an impression was the settling now of the claims controversy with Mexico. A convention which accomplished this was signed on November 20 and submitted to Congress about five weeks later; and even the *Madisonian*, during January and February of 1844, had much less to say on its favorite theme than previously, confining itself chiefly to news items and citations from other journals.<sup>16</sup>

This, however, was only the lull before the real tempest. On the twenty-third of January Daniel Webster addressed a letter to citizens of Worcester county, Massachusetts. It was written in answer to one from them—dated a month earlier—which expressed the fear that a proposition for the acquisition of Texas might be submitted to Congress at the session recently begun, and asked the ex-Senator's opinion on the issue. When this letter arrived, said Webster, he had "indulged a strong hope" that no such move would be made, but "an intention had recently been manifested" of bringing the subject before the national legislature. He then proceeded to deprecate the intrusion of this exciting topic and to argue against the proposition. The cases of Louisiana and Florida, he urged, were not precedents, because in those instances an overruling necessity compelled the United States to act. The constitution does not contemplate the admission of new States formed from the territory of foreign nations, and the Texas project goes even beyond that,—proposing the admission of a foreign country as a whole. A republic, not being held together by the military power of a master, needs the bonds of national sympathy and interest in a special degree, and therefore cannot extend itself unduly without peril. Already we have a vast area, and we should devote ourselves to developing, improving and strengthening it. "'You have a Sparta,'—such was the admonition of ancient prudence,—'embellish it.'" This in brief was the great orator's line of argument; and ample quotations from his Niblo's Garden speech of 1837 were added to show that no change of opinion had taken place on his part. The letter was not printed at the time; yet, written by Webster and addressed to a number of prominent citizens, it could not wholly escape publicity. By a coincidence, if nothing more, the day it was penned resolutions of the Massachusetts legislature against annexation were presented in the national Senate.<sup>17</sup>

It was time now for the other side, and notable indeed was its

<sup>16</sup> *Tribune*, Dec. 22, 1843. Richardson, Messages, iv., 274. *Madis.*, Jan.—Feb., 1844.

<sup>17</sup> Webster to citizens, Jan. 23, 1844: Writings, xvi., 418. *Cong. Globe*, 28 Cong., 1 sess., 175.

deliverance. At the beginning of February, 1844, the *Washington Globe* printed a letter from Senator Walker, written to citizens of Kentucky about four weeks earlier, which proceeded substantially as follows:—In 1836 Texas voted to enter this Union, so that on her side the question is settled. As for ourselves annexation can be effected by treaty, by act of Congress under the power to admit new States (for the constitution cannot have intended to forbid our acquiring territory) or by the action of a single State with the sanction of Congress. Each State had a right before the adoption of the constitution to extend its territory, and may now with the consent of Congress make an agreement or compact with another State “or with a foreign power.” Texas was once ours, and therefore to refuse to re-annex it would be to deny the wisdom of the original purchase. Our claim to it was demonstrated by Jefferson, Madison, Monroe and John Quincy Adams. Clay has always taken the same position. No doubt we appeared to give the region to Spain in 1819, but that we could not and did not do, for by the treaty of 1803 we had bound ourselves to keep Louisiana and admit the inhabitants thereof to the Union. Hence the cession of 1819 was in violation of the treaty, and we should rectify that error. The efforts that have been made to purchase Texas by Jackson and others prove the territory is worth having, and as a sovereign nation now holds it nothing stands in the way.

Let us examine the reasons for taking this step. At present our boundary on the Southwest is as bad as it could be, for the Sabine runs within about one hundred miles of the Mississippi. The Arkansas and Red Rivers with all their tributaries ought to be in our possession. Texas is in close contact with many United States Indians and has many Indians of her own, and she could stir up all of them against the Mississippi valley. The Texans could descend Red River, isolate New Orleans and fall upon it. No harbor exists between the Mississippi and the Sabine, but there are good ones farther on. Texas extends within twenty miles of the pass through the Rockies which forms the door to Oregon. All these evils can be remedied by annexing that country, and at the same time we can secure access to the trade of northern Mexico and “a very large portion of the western coast of America.” Clay stated publicly in 1820 that the value of Florida was “incomparably less” than that of Texas, and lauded highly the physical features of the latter region. Brougham observed recently in Parliament that “the importance of

Texas could not be overrated." Should the project in question be executed, your State for example would have a great market for her meats, flour and corn, hemp, bagging and the like. To refuse annexation is therefore to reject a great benefit. Nay, it is more. It is to re-dismember the "mutilated" West. "It is to lower the flag of the Union before the red cross of St. George," and surrender both Texas and the mouth of the Mississippi to England. Kentucky cannot refuse to welcome her sons who have gone to Texas and in the case of war would use their unerring rifles for our defence. The case of re-annexation is therefore strong, and it is much stronger than would be a proposal to acquire new territory, especially since the people there are of our own stock.

The objections are that our dimensions would be too large and that Texas has slavery. But Louisiana doubled the area of the Union, whereas Texas would add only one-seventh. England has more square miles in this continent than we should have with both Texas and California. "Is it an American doctrine that monarchies or despotisms are alone fitted for the government of extensive territories?" On the other hand, of all forms of government a confederacy like ours is the one best fitted for extension; yet the British Empire possesses 8,100,000 square miles, Russia 7,500,000, Brazil 3,000,000, and the United States with Texas would have only 2,318,000. The advance from thirteen to twenty-six States has not endangered but has strengthened the Union. A wide territory secures power and hence peace, and on account of the variety of soils, climates and productions it gives a home market. The acquisition of Texas would increase the prosperity of almost every American interest, and would thus have a tendency to bind the country together. Besides, it should be noticed that in effect the United States plus all we propose to add would be much smaller now than were the United States of 1787, and also that this objection, if valid against Texas, is still more so against Oregon, which is both larger and more remote.

The only other obstacle is slavery. But is this question to be permitted to cripple our development and endanger our very existence? "Is anti-slavery to do all this?" If so, no efforts of man can save the Union. The abolitionists are allies of England and enemies of their own country. If the negroes are emancipated, the South will no longer be able to buy the productions of the North, "and North and South will be involved in one common ruin." Three

million freedmen will fly at once to the opposite quarter for protection, filling it with crime and poverty. The census of 1840 proves that the blacks of the free States are in a worse condition than our slaves, and the number of freedmen is rapidly increasing at a vast expense to the community. Annexing Texas would very materially hinder this increase, for the slaves would largely be drained away from the border commonwealths and therefore the number emancipated would be smaller.

It is said that annexation would fortify an objectionable institution, but in reality it would only change the abode of the blacks, not add to their number. The location and not the existence of slavery is therefore the question involved, and shall Texas be lost for that? A transfer from the middle tier of States to the warm climate of the new areas would benefit the negroes. Moreover a great and increasing number of them would gradually slip away into Mexico, Central America and South America, mix with the natives (who are not despised as our blacks are), and thus rise in the social scale while relieving us of their presence. Indeed unless Texas is brought into the Union, we never shall be rid of that unfortunate class. By the time free labor shall be plentiful and therefore cheap, the slaves will be so numerous that they could not safely be emancipated, and the cost of supporting the great number of destitute, infirm and criminal negroes that would result from abolition would likewise prohibit freeing them.

To refuse Texas would produce a hostile feeling there, and she would go over to our old enemy. A mutually advantageous arrangement between her and England would be the consequence. All told, her cotton planters would have an advantage of twenty per cent. over ours. The staple would cease to be raised on our plantations, and the North and the West would lose their market. "Must we," then, demanded the Senator, "Must we behold Texas every day selling her cotton to England free of duty, whilst our cotton is subjected to a heavy impost? And must we also perceive Texas receiving in exchange the manufactures of England free of duty, whilst here they are excluded by a prohibitory tariff? Can the tariff itself stand such an issue; or, if it does, can the Union sustain the mighty shock? Daily and hourly, to the South and the Southwest, would be presented the strong inducement to *unite with Texas*, and secure the same markets free of duty for their cotton, and receive the same cheap manufactures, free of duty, in exchange." Moreover the

slaves States, if thus associated, would be building up cities of their own, whereas now they are building up New York. Should the proposed measure be defeated, "The South and Southwest, whilst they would perceive the advancing prosperity of Texas, and their own decline, would also feel that the region with which they were united had placed them in this position, and subjected them to these disasters by the refusal of re-annexation." One of three results would therefore be certain: 1, The South and Southwest might unite with Texas; 2, the tariff might be abolished; or 3, vast smuggling operations might virtually nullify the tariff, destroy our revenue, demoralize our people, and make direct taxation inevitable.

England now has the right to examine Texan vessels in the Gulf on a suspicion of their being engaged in the slave trade. This enables her to station cruisers off the Mississippi, search our vessels under the pretense that they belong to our neighbor, and seize our property and sailors. As a dependency of Great Britain, Texas would side with her in case of war and help her to take New Orleans or at least close the Mississippi against our western cotton, thus obtaining a practical monopoly of that invaluable production. Even if Texas desired to remain neutral, she could not force her neutrality to be respected. Her people and the Indians would surely be used against us. We must prevent this, and in all probability now is our last chance to do so.

But there is even more to apprehend. So far has the influence of England in Texas been pushed already that Houston in his message of December, 1843, speaks of Great Britain as a friend and of the United States as an enemy. What, then, would be the feeling of that country were she to be rejected by us? She would become not only a British dependency but in effect a British colony. In the north England already hems us in. She would then do the same in the South, control the Gulf, and be within two days' march of the Mississippi. She is no friend of ours. Her press and her books reek with abuse of this country, intended to render it odious to the world. England, moreover, is governed by aristocrats, the avowed enemies of our free system; and she is advancing rapidly toward universal dominion. Whoever does not wish to save Texas and the Gulf from her is himself a monarchist and a Briton, and would reduce the United States to their old condition as British colonies. Nor is this all. The West contributes freely for the defences of the East, and now it demands something as a defence to itself. Gen-

eral Jackson says annexation is "essential." Is patriotism only a name, or will the whole country join in protecting the Mississippi valley?

To these arguments Walker added impressive tables of statistics and a detailed investigation of the American trade with Texas, purporting to show besides other points that in 1839 she had taken nearly one-third of all the domestic manufactures exported by the United States; that in consequence of arrangements with foreign nations she had purchased less and less of our goods, until in 1843 she bought less than one-eighth as much as in 1839, whereas had she been annexed, the trade would greatly have increased; and further that many sections and many interests had shared in the profits of the Texas business. Finally Walker referred again to the danger that free trade would be established in that country, pointing out that her government could be supported by sales of the public lands and the customs duties be absolutely cancelled, and arguing that enough illicit introduction of merchandise into the United States to destroy our tariff would be the consequence. In short, he concluded, "This great measure is essential to the security of the South, the defence of the West, and highly conducive to the welfare and perpetuity of the whole Union."<sup>18</sup>

A wonderfully clever production was this letter. Besides arguments there was plenty of luscious rhetoric skillfully adapted to the imaginations and prejudices of the American public, and every ember of suspicion and ill-will toward England was deftly fanned. A New York *Tribune* leader called it a "long array of sophistry," and the special correspondent of that paper at Washington declared that its author's intellectual stature was like his physical,—that he was "the smallest mental edition of a man." The Boston *Courier* remarked that it would not believe Texas was to become a dependency of England until it saw her slaves emancipated; that the manufacturers of the North could not be benefited by strengthening the hands of the anti-tariff South Carolinians; that if England could make favorable treaties with a nation, so could we; and that the independence of Texas was expedient for the slaveholders themselves—to prevent their negroes from escaping to Mexico. By the *True Sun* it was urged that markets could be made in Texas only by the migration of Americans, who could buy more were they to remain at

<sup>18</sup> Letter of R. J. Walker to Sanders and others, Jan. 8, 1844: Wash. *Globe*, Feb. 3, 1844.



home; and that markets in that quarter would be of no value anyhow should our admission of the country enable the South to destroy our tariff. The Baltimore *Clipper* pronounced Walker's idea that annexation would lead to the disappearance of slavery "too absurd to be entertained by any man of common sense"; and various other statements of the letter could be and were attacked with varying degrees of success.<sup>19</sup>

Nevertheless the paper had no little influence, as Van Zandt reported to his government. Great numbers of people accepted it as gospel. In particular it was undoubtedly believed by not a few that the acquisition of Texas would draw slaves away from the States of Maryland, Virginia, Kentucky and Tennessee to cultivate her more fertile soil, and thus would "enlarge the area of freedom." Many felt persuaded also that it would then—and under no other circumstances likely to arise—become possible to eradicate slavery from the entire South, whenever changed conditions should render that sort of labor unprofitable as it had been found to be at the North, since the freedmen could be pushed off into Mexico, instead of remaining in the States as a heavy burden and a fearful menace. In many ways, therefore, Walker's argument was attractive. After more than two months had passed, the Washington correspondent of the Richmond *Enquirer* said that it continued to be "the theme, the talk, the fashion, the very rage"; and by the middle of April it was stated that 50,000 copies of it had been circulated, and 2,253 letters received by its author in commendation of his views. Here, certainly, could be found proof that the annexation question was alive.<sup>20</sup>

It is thus evident that the Texas issue, like a rising wind, stirred the atmosphere of the United States more and more from the close of 1841 to the early months of 1844. Tyler, Gilmer, Adams and his

<sup>19</sup> N. Y. *Tribune*, March 19; Boston *Courier: Nat. Intell.*, April 23; *True Sun: N. Y. Tribune*, March 23; *Clipper*, April 23; N. Y. *Tribune*, March 19; Cincinnati *Herald*, Feb. 29, 1844. What is rather surprising, no one seems to have seen that Walker had misrepresented Madison's position regarding the boundary of Louisiana. His error was probably unintentional. Madison's letter of March 31, 1804, to Livingston, taken without his earlier one in the same month, is ambiguous (Writings, Hunt's ed., vii., 123).

<sup>20</sup> Van Z., No. 114, Feb. 1844. *Lib.*, April 19, 1844. (Effects on slavery) E. g., *Democ. Review*, July, 1845, p. 7. Waddy Thompson (ib., Sept., 1844, p. 259) approved of annexation partly on the ground that the northern slave States would become free. Jefferson and Madison had believed that the way to end slavery lay through the diffusion of it: Tyler, Tyler, ii., 255. Tuscaloosa (Ala.) *Flag: Nashville Union*, April 20, 1844. Speaking at Natchez in 1844, S. S. Prentiss exhibited what he described as two editions of Walker's letter, one written for the North and the other for the South (Memoir, ii., 336.)

associates, the legislatures of States, the administration journals, Almonte, Webster and Walker, all concurred in giving notice that a move in the cause of annexation was likely soon to be made; and however inattentive were the mass of the nation, it is clear enough that a large number of the reflecting and influential men perceived the indications. If any did not, the fault was their own.

## VIII

### THE ANNEXATION TREATY IS NEGOTIATED

ON the sixteenth of October, 1843, Van Zandt wrote to Jones, the Texan Secretary of State, substantially as follows, and sent the despatch by a special messenger: Herewith is Upshur's note, which places the question of annexation in a tangible shape. As regards the American Senate, I think there has never before been a time so favorable. To the southern States Aberdeen's reply to Brougham makes the subject one of vital importance. At the same time the possibility of England's obtaining (as many believe she may) an undue influence in Texas and monopolizing the carrying trade, "seems to have touched the secret springs of interest" among the Northern manufacturers, and presented the matter in a light hitherto unseen in that quarter; while as the Westerners are intent upon securing Oregon, it is believed that we can combine the two questions, winning for them the Southern and Southeastern vote, and for ourselves Western and some Northern support. Thus far the newspapers have treated the subject as non-partisan, and this also is auspicious, for the measure has not strength enough in either party to carry it. Should the treaty be concluded, provision would necessarily be made for the liabilities of the Texan government, and this would bring to our aid the holders of them. The influence of the United States Bank agents, though the Bank is dead, "would prove a host in itself;" and some of the creditors of Texas have interested in a pecuniary way a certain Northern Whig Senator. If we reject this opportunity we are not likely to have another so good.<sup>1</sup>

At about this time the chargé's letter of September 18, conveying the intelligence that Upshur had informally proposed annexation, reached his government, and on October 30 it was made known to Captain Elliot. Elliot inquired how the administration intended to reply, and Houston answered that Van Zandt would be instructed

<sup>1</sup> See General Note, p. 1. Van Z., No. 109, Oct. 16, 1843. Evidently Van Zandt felt strongly in favor of making a treaty, and one can easily believe what Tyler stated afterwards, that had the chargé been then empowered to negotiate, the treaty would have been made in a week (Tyler, Tyler, ii., 415).

to say verbally that it was not considered necessary or desirable to entertain such a proposition until, by adopting some resolution, the American Senate had shown that it was ready to treat on the subject. The Captain then examined his instructions carefully, and the next day, at a formal conference with the President and the Secretary of State, he desired to know the views and intentions of the Executive for transmission to the Foreign Office, intimating that Great Britain might leave Texas to rely upon the United States in her efforts to secure recognition from the mother-country, and suggesting that Mexico would not be likely to facilitate annexation by yielding to American mediation in that affair. Houston replied that he was grateful for the past exertions of England and wished them to continue; that the Texan government had no reason to suppose the professions of the United States were based upon anything except their own convenience, could place no reliance on their heartily interposing to secure recognition from Mexico, and, however this might be, would not be so thankless as to prefer other assistance to England's; that England "might rest assured that with the Independence of Texas recognised by Mexico, He would never consent to any treaty or other project of annexation to the United States, and He had a conviction that the people would sustain him in that determination." Formerly, it was true, such a plan had gained his approval, but the American Union had rejected the offer made by the Texans in a time of difficulty, and its later conduct had not been calculated to make them "sacrifice their true and lasting advantage to the policy of party in that Country." The United States had been appealed to for help at the same time as England and France, but the latter countries alone had earned a title to gratitude by taking an active and decided part. Just now, in consequence of the truce and the withdrawal of the annexation proposal formerly made by Texas, more interest prevailed at the north; but so far her Executive had not been favored with a word in writing as to the purposes and proceedings of that cabinet. "They were no doubt kind, but what they were he could not positively say."<sup>2</sup>

In this interview Elliot was the recipient, but the British minister fully understood the still greater blessedness of giving. He believed and had assured Houston that the American government felt no confidence "in their own power to carry out a project of annexa-

<sup>2</sup> Elliot, secret, Oct. 31, 1843.

tion," and aimed chiefly to prevent the affairs of Texas from being settled in any manner not agreeable to them. He believed also—and no doubt had said as much to the President—that the United States did not wish the war to end, since its continuance furnished the means of rendering Mexico amenable to their demands and increased the chances of obtaining the long coveted territory. Such views of the American policy, if correct, would have justified Houston in looking elsewhere for aid, and apparently they were entertained by him as well as by the British minister. Relying perhaps on such considerations, Elliot felt satisfied that Houston's sincerity could be depended upon implicitly, and the President proceeded to confirm this opinion by making no reply whatever to Van Zandt.<sup>3</sup>

On the third of November Upshur received five despatches from Murphy. One informed him that no American vessels of any consequence were then engaged in the Gulf trade, which meant an increase of British prestige and influence in that quarter. Another stated that Elliot had urged the Beales claim "with great earnestness." A third accompanied a newspaper which, in Murphy's opinion, showed that an effort was making "to turn the affections of the People of Texas from the U States to England"; and a fourth had a good deal to say about the abolition designs of the British government in concert with Andrews and the British Anti-Slavery Society, and urged that the United States compel Mexico to end the war by recognizing her one-time subjects, because its continuance injured American commerce in the Gulf and encouraged foreign intrigues in Texas. Much more important, however, was a fifth despatch, for it covered a transcript of the correspondence that had passed between Elliot and Jones with reference to the truce with Mexico. The gist of this, Murphy angrily suggested, could be summarized in three points: (1) Santa Anna proposes a suspension of hostilities, and is willing to make a settlement if Texas will acknowledge the sovereignty of his country; (2) Elliot urges that his terms be assented to as the only method of obtaining peace; and (3) the government of Texas, concurring in Elliot's opinion and acceding to Santa Anna's wishes, agrees to send commissioners to end the war; and the chargé further pointed out that an acceptance of the Mexican proposals, destroying slavery between the Sabine and the Rio Grande and closing the market for American

<sup>3</sup> Elliot, secret, Oct. 31, 1843. Id. to Doyle, June 21, 1843: F. O., Texas, vi.

negroes there, would injure Southern interests and consequently be detrimental to the Union as a whole.<sup>4</sup>

On receiving this despatch, Upshur doubtless felt concerned lest Murphy's indignation should cause him to act offensively towards the Texan administration, and he replied soothingly that Houston's apparent willingness to accept the Mexican terms might be only for the purpose of gaining time, so as to obtain the protection of the United States or of Great Britain; but he admitted that the correspondence revealed "a remarkably good understanding with England, and an obvious leaning towards that power," and he believed, as he soon expressed himself to the American minister in Mexico, that England was "exerting herself to cause Texas to acknowledge the sovereignty of Mexico." He recognized, too, that the tone of the administration newspapers was "by no means kind towards the United States"; and that many recent events indicated "a disposition on the part of the Executive to alienate the affections of the people, from our country." Yet nothing could be gained, he urged upon Murphy, by "revolution or violence of any kind"; and he therefore instructed him to avoid every sign of distrust, "cultivate a good understanding with the President," and leave him to be "constrained by the popular opinion." At the same time, however, "in order that the attention of the people might be brought directly" to the subject of annexation, he authorized the chargé to "express, in private conversations, the views and wishes of this government," provided he could do it in such a manner as not to "appear to take part . . . with the people against their Executive, in case of a difference between them."<sup>5</sup>

The next day after writing this Upshur received an answer from London. Everett had had an interview with Aberdeen, and the British minister had spoken as follows: The annexation of

<sup>4</sup> Murphy, No. 10, Oct. 3; No. 6, Sept. 23; No. 7, Sept. 24, 1843. Id., Sept. 24, 1843: Sen. Doc. 341, 28 Cong., 1 sess., 23. Id., No. 4, Sept. 23, 1843. Murphy explained that he and Jones, being "sick together," had become very intimate, and, on his expressing a strong desire to see the correspondence, Jones had caused a copy of it to be made for him during Houston's absence.

<sup>5</sup> To Murphy, No. 11, Nov. 21, 1843. To Thompson, Nov. 18, 1843: Sen. Doc. 341, 28 Cong., 1 sess., 42. Upshur does not seem to have surmised that the papers were given to Murphy in order to play upon the American jealousy of England. Perhaps, like the editor of the *Madisonian*, he feared the purpose was to divert suspicion from something not shown (*Madis.*, Dec. 1, 1843); but at all events he can hardly have accepted as adequate Murphy's childlike explanation. In the opinion of Anson Jones (*Niles*, January 1, 1848, p. 281), alarm over the fact that apparently Texas obtained an armistice with Mexico through British and French influence, had a great effect in rousing pro-annexation sentiment in the United States.

Texas, were that step to be taken, would be "wholly without provocation" on the part of his government. No doubt England desired slavery to cease, but she had no wish to interfere in the internal affairs of other nations, had not made and did not intend to make abolition "the condition of any treaty arrangement" with Texas, and had never alluded to the subject "in that connexion." During the summer a deputation of American abolitionists had waited upon him and proposed that a loan be made with a view to the emancipation of the negroes in that country, but the suggestion had been rejected at once; though he had, indeed, "informed them that, by every proper means of influence, he would encourage the abolition of slavery, and that he had recommended the Mexican Government to interest itself in the matter,"—a recommendation, by the way, that had been received with no favor. Brougham's remarks in the House of Lords could only have referred to "the negotiations with Mexico for the recognition of the independence of Texas, and the earnest hope that the abolition of slavery might be effected by such an arrangement." Besides, the debates in Parliament were not always reported accurately, and too much importance should not be attached to them. In short Everett "might be perfectly satisfied that England had nothing in view in reference to Texas, which ought in the slightest degree to cause uneasiness in the United States."<sup>6</sup>

Undeniably the general tone of Aberdeen's remarks was gratifying, but his statements were highly diplomatic. He showed that he had been disturbed by seeing the incorporation of Texas recommended in American newspapers as the means of defeating British designs against slavery, and evidently his assurances were framed with a view to prevent annexation. The declaration that England had no wish to interfere in the affairs of other countries was hardly equivalent to a promise that she would not interfere. True, abolition had not been made the condition of a treaty with Texas, but that was only because England had found such a condition unacceptable,—as it was easy to do without plainly connecting the two subjects; and it was solely for this reason, one may infer, that of late she had had no intention of proposing it. The statement that Aberdeen had promptly rejected the suggestion of a loan as pre-

<sup>6</sup> Everett, No. 62, Nov. 3, 1843 (Sen. Doc. 341, 28 Cong., 1 sess., 38). England seems to have given Henderson to understand that slavery stood in the way of her recognizing Texas, but to have avoided bringing abolition and recognition explicitly together.

sented by a deputation of Americans could not disprove the fact that a similar idea coming from another source had been countenanced. The assurance that England had nothing in view with reference to Texas that should cause the slightest uneasiness in the United States was at that moment true, one must suppose, in Aberdeen's belief; but this was because her efforts had thus far been unsuccessful; it was soon to be true no longer; and furthermore this was a matter of opinion, on which our authorities might not agree with His Lordship. By no means all the facts, of course, were known to Upshur, but he possessed enough of them to guard him against implicit reliance, even had he been disposed as a general rule to place it, on the assurances of a foreign diplomat; and, finally, Aberdeen himself not only asserted the strong abolition policy of the British government, but admitted that a move to destroy slavery in Texas by means of an agreement with Mexico had been attempted,—a fact which tallied ominously with the proof, revealed in the Elliot-Jones correspondence, that negotiations between the two countries had now been arranged for, and had been arranged for through British agency.<sup>7</sup>

December 10 Upshur received a second despatch from Everett in reference to the same subject. It was here mentioned that in writing to Ashbel Smith with reference to slavery in his country, Aberdeen had disclaimed all intention to interfere improperly in her internal affairs, and a report of another interview with the British minister was given. At this time His Lordship had said that he realized the delicacy and importance of the abolition matter, and should certainly not think it right to give just cause of complaint to the United States. England had, it was true, connected the subject of emancipation in Texas with a proposal that Mexico acknowledge her independence; but the idea had not been favorably received. Upshur could readily see, however, that the suggestion might yet bear fruit; and Aberdeen's assurances, taken as a whole, did not and could not satisfy the American government. He himself, while denying that he wished to interfere unduly in the af-

<sup>7</sup> The statements not already proved will be proved later. Crallé, who was Chief Clerk of the State department under Calhoun, says (Calhoun, Works, v., 313, 314) that two deputations waited on Aberdeen; and Everett mentions in his despatch of Nov. 3 a deputation of "American abolitionists" and in that of Nov. 16 one of "British subjects and others." As Aberdeen admitted to Ashbel Smith on July 20 that perhaps the British government would in some way compensate the Texan owners of slaves, should these be emancipated, it is evident that his assurance to Everett did not cover the whole ground. See also Smith's letters printed in Chapter iv.



fairs of Texas or had given any cause for uneasiness to the United States, admitted that an attempt had been made to destroy a domestic institution of the first country and thereby to affect seriously—according to the general view of that matter—the home interests of the second; and this was quite enough to show how liberally he could interpret words. In brief, the very best that could be said by the British diplomat for the express purpose of soothing the United States, and the rosiest complexion that could be given to his language by an American minister more in sympathy with him than with his own Executive in this regard, were such as inevitably to alarm Tyler; and in 1848 the President himself stated that Aberdeen's remarks had a decisive effect upon his mind and Upshur's in favor of pressing the measure of annexation. Placing side by side the weakness of Mexico and Texas, the close intimacy of England with both of those governments, her avowed anti-slavery policy, and the fact that she had already tried to work that policy in Texas, not to mention her agency in actually bringing about negotiations between the belligerents, they felt sure that in one way or another she would eventually, unless prevented, succeed in freeing the Texan slaves.<sup>8</sup>

All the more trying then, was the non-arrival of an answer to the overtures of September and October. Upshur felt suspicious of Houston, and feared that Van Zandt might not be given power to negotiate a treaty, though he trusted that in such a case the chargé would take the responsibility of acting and appeal to the public for support. By this time strong political considerations had presented themselves, as will be seen; and both Tyler and Upshur were determined to have a treaty if they possibly could. Another line of thought also may have stimulated them in the prosecution of their policy. The occasion of the break between the British representative at Mexico and the government to which he was accredited—that affair of the little English flag—appeared altogether too trivial a cause for such an effect, as indeed it was, and the public were

<sup>8</sup> Everett, No. 64, Nov. 16, 1843: Sen. Doc. 341, 28 Cong., 1 sess., 40. Smith Aug., 1; Aberdeen, Sept. 11, 1843: Tex. Arch. Tyler to Calhoun, June 5, 1848: Jameson, Calhoun Corr., 1172. Tyler added that the British aim to abolish slavery in Texas might be carried out by a treaty between those countries; that then there would be a constant border war between us and Texas over fugitive slaves from the southern States; that ultimately therefore formal war would occur between the United States and Texas, Mexico and England; that a commercial treaty would give England absolute control over the Texas trade, and that England would not be dependent upon us for cotton.

not aware that Great Britain disapproved of her chargé's course. Consequently many suspected in the United States that some deep game was afoot and the incident of the flag a mere pretext,—a ruse, as the New Orleans *Commercial Bulletin* for example termed it. Then came word that a British fleet was on its way to Mexico; and as good an observer as Trist, then our consul at Havana and later Assistant Secretary of State, concluded that the English government were using the ostensible quarrel as an excuse for assembling a naval force near the scene of operations, and intended to employ these vessels in one way or another against the policy of the United States.<sup>9</sup>

Meanwhile, on the other hand, a little encouragement was received from Texas. With a view to the brightening of American prestige a small warship, the *Flirt*, was ordered to Galveston, where she arrived about the middle of October. Houston visited her with Murphy, and seemed much pleased with the attentions paid him. The American chargé represented the sending of the vessel as evidence that the friendship of the United States was more than a profession; and this idea, together with what he described as "the curtesy & noble bearing" of the *Flirt's* officers, tended greatly in his opinion to conciliate national sentiment. Doubtless the visit did have some influence in that direction, and still more was exerted by the strong suspicion of the public that England had been endeavoring to emancipate their slaves. In Murphy's biased judgment, indeed, the people were so much incensed about the abolition movements occurring in Great Britain and the part which they supposed Elliot had taken in the Texan anti-slavery campaign, that "a little, yea very little more" would have resulted in violence against the government of their own country.<sup>10</sup>

A few days later fresh stimulus was imparted by a Galveston letter addressed to Upshur. "A train has been laid," said the writer, through English diplomacy and the "weakness, or wickedness" of Houston to prevent annexation. England's first step was to require all treating with the United States for a union of the countries to be suspended. The British minister in Mexico then applied for an armistice. Santa Anna agreed to grant this on the condition that Mexican supremacy be acknowledged and negotia-

<sup>9</sup> Maxcy to Calhoun, Dec. 10, 1843: Jameson, Calhoun Corr., 900. *Com. Bulletin*: *Houston Telegraph*, Dec. 27, 1843. (Fleet, Trist) John L. Chauncey (of U. S. Ship *Vandalia*), Havana, Jan. 9, 1844: Markoe and Maxcy Papers.

<sup>10</sup> Elliot, secret, Oct. 31, 1843. Murphy, No. 11, Nov. 7; No. 12, Nov. 13, 1843.

tions be opened on the Robinson basis. Doyle and Elliot recommended the acceptance of these terms, and it was agreed that a commission should be sent by the Texan government with an implied recognition of Mexican sovereignty. When annexation shall have been defeated, continued the letter, we shall be offered peace on the condition of accepting emancipation and the Nueces boundary,—our slaves to be paid for, held for life, or apprenticed for a term at nominal wages. "I know" that Houston has had Elliot's advice in all his moves; I believe that England wishes to occupy the region between the Nueces and the Rio Grande [the seat of the Beales grant] so as to prosecute designs against California; and I am "sure" that the first wish on the part of the British ministry is "to strike a deadly blow at slave labor," since only that system enables you to compete with her. Elliot has said to me "more than once" that we shall never be recognized by the mother-country except on the basis of abolition, and he and Houston agree that the United States could not obtain peace for us without going to war with Mexico.<sup>11</sup>

At last, three months after Van Zandt had written of the American overture, eight weeks after he had sent a special messenger with Upshur's formal announcement, and forty-three days after Houston had informed the British representative what kind of an answer would be returned, the Texan Executive made reply. The interposition of European governments, wrote Secretary Jones, to which we owe the truce and our prospect of ending the war, has been given chiefly with a view to our remaining independent; and it would not be good policy to exchange the expectation of obtaining—by the aid of those foreign powers—the peace now apparently near at hand for the very uncertain hope of entering the Union, however desirable that might be. Should Texas make an annexation treaty, it is believed the powers would immediately withdraw their good offices; and then were the treaty to fail, she would be in a worse case than at present, yet could not ask help of England and France; while the United States, finding their weak neighbor wholly dependent upon them, might become indifferent again, and so she would be left entirely without friends. Until, therefore, the success of the annexation plan can be considered certain, the proposal to make a treaty should be declined; but if the American

<sup>11</sup> James Low to Upshur, Nov. 20, 1843: State Dept., Misc. Letters. (Beales grant) Yoakum, Texas, i., 317.

Congress or Senate adopt a resolution authorizing the President to offer such an arrangement, the proposition will immediately be submitted to the legislative authorities here and promptly be responded to by the Executive. It was a cold reply; and Houston's annual Message, published at about the same date, made it seem worse than cold, for in that paper he gratefully commemorated the friendship and helpfulness of England, and dwelt at length on certain American proceedings that he regarded as outrages. Van Zandt felt shocked by the tenor of his instructions; and although he informally indicated their character to the American Secretary of State, he refrained from communicating their terms and boldly resubmitted the case to the home authorities.<sup>12</sup>

Upshur also was for persevering, and the ideas now expressed by the Texan envoy to his government, after ascertaining the views of "many Senators," help us to understand why. First, the chargé pointed out insurmountable objections to such a resolution as Jones desired the American Senate or Congress to adopt. It was not customary, he remarked, to authorize the President of the United States to open negotiations, unless he had neglected or declined to do so; and in this instance it was known to many leading Congressmen at both ends of the Capitol that annexation had been offered to Texas. Justice Catron of the American Supreme Court and all others consulted on the point agreed that it would not be well to instruct the Executive to do what he had already done. Besides, were such a move to be proposed, those unfriendly to Texas would urge that any steps taken by the American Congress before that country had signified her willingness to join the Union would be improper; while those favorable to annexation but anxious to defer the matter would concur in voting against the desired resolution. In the second place Van Zandt explained that a treaty, even should it fail to be ratified, would promote the cause. It would indicate precisely and formally the terms that would be accepted by Texas,

<sup>12</sup> To Van Zandt, Dec. 13, 1843. At this time there were pending certain complaints of Texas against the United States for alleged trespasses upon her territory, and Van Z. notified Upshur (To Jones, No. 112, Jan. 2, 1844) that these must be satisfied before Texas could consider annexation. But, as the United States manifested the best disposition to adjust the difficulties fairly, these claims really had no bearing on the question. Jones was technically truthful in saying the truce was due to foreign aid, in the sense that British agents were the organs of communication. Upshur's letter of Jan. 16 to Murphy shows that he knew of Jones's despatch declining the American overture; but Van Zandt made no written communication to the State department on the subject (Calhoun to Tyler, May 2, 1844: Sen. Doc. 341, 28 Cong., 1 sess., 68). Message: Journ. Hq. Repres., 8th Tex. Cong., 13. Van Z., No. 113, Jan. 20, 1844.

and these—incorporated in a bill—could then be voted by a simple majority of the two Houses, whereas without such a preliminary agreement on terms this method would not be feasible.

Next he argued that now was just the time to carry the great measure through. Being supported by Whigs as well as Democrats, he said, it will not be a party question. The opinion prevalent here that Texas must be annexed or become dependent on England seems to me a strong ground for hope. Even Senators from the North—and many of them—are influenced by this view. It is believed that undue British influence there, commercial or other, would be dangerous to the prosperity and to the institutions of the United States; that England is employing all possible means to carry out her purposes; and that annexation is the only remedy. Many feel sure that Henry Clay will be the next President, and some of his particular friends wish the step to be postponed so that he may have the credit of it; but even these men will support a treaty, if a treaty be made now. We can count on every one from the South and West, all the Democrats from the North, and perhaps Tallmadge of the New York Whigs. A treaty, then, is the proper mode; public sentiment is ready for it; and such a state of feeling ought not to be wasted. Should the treaty fail and an act of Congress be deemed constitutional, that plan can then be brought forward and the success of the measure “be placed beyond a shadow of a doubt.” Finally Van Zandt attacked the corner-stone of Jones’s despatch. Whatever happens, we shall lose nothing, he urged; England may perhaps abandon us for agreeing to join the United States; but the making of an annexation treaty would create a party here that would never cease to defend us until we should be incorporated in the Union.<sup>18</sup>

Aside, however, from the ideas thus expressed, Upshur doubtless felt, in view of Houston’s proclamation, his Message, his reply to Van Zandt, the Brougham-Aberdeen colloquy and Everett’s despatches, that positive action must be taken at once in order to forestall England; and accordingly on the sixteenth of January, 1844, he sent a long communication to Murphy, intimating that Murphy should lay it before Houston. Our proposition to annex Texas, he announced, has been “for the present” declined. This, however, is not surprising. Although the United States have sympathized entirely with that country, “want of power” has prevented

<sup>18</sup> Van Z., No. 113, Jan. 20, 1844.

the Executive from assisting her in any effectual manner, and in a way she has been compelled to look elsewhere for aid. Probably her administration has thus become committed to England in some degree, and, regarding the ratification of an annexation treaty as not absolutely certain, it shrinks from hazarding the friendship of other powers by making a move in this direction. It should not, however, be discouraged by the failure to secure union with the United States at an earlier period. At that time the subject was not understood. Then and always a vast majority of our people have believed that at some day Texas must be annexed. The failure can have involved nothing more than the national self-respect of her people, and to set things right in that particular the American government have taken the initiative in bringing the matter up again. In his recent Message, to be sure, the President of the United States was silent regarding the subject; but this was merely because he thought it best to wait until a treaty could be submitted. The Message clearly proved his friendship for Texas. He said it was time for the war between her and Mexico to end, thus announcing in effect "his own purpose to put an end to it" by any means which he can constitutionally command. His only means is the power to make treaties, and this power he now offers.

England has no disinterested friendship for our neighbor, continued the Secretary. Her purpose is to monopolize the commerce of the world. She aims to obtain concessions from Texas; and that country, once in her control, will not be able to refuse them. The United States—particularly the North—would feel greatly irritated were they to find the adjacent republic aiding England to cripple our trade and industry, and we should make reprisals; so that if our overtures are rejected, "it is inevitable that we shall become the bitterest foes." Moreover if Texas remain independent, the "extensive preparations" already carried out will fill the land with settlers from Europe, and these people will bring with them all their old ideas and feelings. Immigration from the United States on the other hand will cease, particularly as the Southern people would not go with their slaves to a country governed by abolitionists. Texas will thus become European; sympathy between her and us will end; slavery will be uprooted; clashes and then war will follow; England will have to take part, and other nations will not look idly on. What, now, could Texas hope to gain from all this? She would find herself between the upper and the nether mill-stones. A quasi

alliance with England she might no doubt have, but "the lamb can make no contract with the wolf, which will protect him from being devoured." So long as she continues to be independent, she must in fact rely on a country not bound to her by sympathies and always actuated by mere self-interest. Would it not be better to join a nation hardly second to any, a nation rapidly growing, a nation whose power in war she could scarcely hope to resist, were it an enemy? That she may now do. "There is not, in my opinion, the slightest doubt of the ratification of the treaty of annexation, should Texas agree to make one." The Senators have been sounded, and "*a clear constitutional majority of two-thirds are in favor of the measure.*" The negotiations with Mexico need cause no embarrassment. If that country acknowledge Texas, Texas can do with herself as she pleases; if not, she will need the protection of the United States all the more. So wrote Upshur. In September he had suggested; in October he had proposed; and now in January he insisted. In truth, portions of this final appeal sounded menacing, and it was denounced as a conjuring up of phantoms to bully Texas into acquiescence. But in reality the Secretary was merely predicting what any thoughtful man could see was probable, if not certain, should the two nations pursue independent courses. Only a few months passed before Houston himself wrote that unless his country were annexed, the revenues of the American Union would be diminished and its very existence endangered; that a European influence unfavorable to the United States would become dominant in Texas; that the bond of common origin would lose its power; and that instead of friendship there might come to be the "most active and powerful animosity" between the two republics.<sup>14</sup>

<sup>14</sup>To Murphy, No. 14, Jan. 16, 1844: Sen. Doc. 341, 28 Cong., 1 sess., 43. A copy of the confidential despatch to Everett was made a part of this communication. Houston to Murphy, May 6, 1844: Crane, Houston, 366. Upshur has been charged with falsehood for his statements regarding the strength of annexation in the Senate at this time; but McDuffie wrote to Calhoun, March 5, 1844, "from poor Upshur's count 40 Senators would vote" for the treaty (Jameson, Calhoun Corr., 934), and between these three men there can have been no intentional misrepresentation in the matter. Besides, as we have seen, the evidence appears to warrant Upshur's estimate. In Jan., 1845, the chairman of the House committee on foreign affairs stated on the floor that at this time many more than two-thirds of the Senate favored the acquisition of Texas by treaty (Cong. Globe, 28 Cong., 2 sess., 84); and there is much other evidence of such a state of things. Jan. 23 Upshur supplemented this despatch with a private and confidential note to Murphy, in which he argued that since the motive of England was self-interest, she would be all the more willing to treat commercially with Texas were the project of annexation to be tried and defeated, for then she could feel that it would not come up again; hence Texas need not hesitate on account of her relations with that power to make the proposed treaty. Upshur added that ratification might "now be regarded as certain" (State Dept., Arch. of Tex. Leg.).

Elliot was at this time in New Orleans, and there Henry Clay stated most positively in his presence, two or three times over, that no scheme of annexation would be accepted by the Senate of the United States. This, coming from the acknowledged ruler of the dominant political party in this country, was an important and in fact a decisive utterance, and in view of Elliot's anxiety on the subject one cannot doubt that it was communicated unofficially to the Texan authorities. Some weeks later, indeed, Murphy was informed that the chargé had written to Jones from New Orleans assuring him that the Senate would not vote for Tyler's project. At about the same time he represented to Aberdeen that the United States, having concluded the new convention with Mexico for the adjustment of American claims, would be less interested in Texas; and it seems more than possible that he expressed the same idea unofficially to Jones. Did he also receive unofficial replies? It would appear so, for he assured his government in February that Houston was "steadily determined" to maintain the independence of his country.<sup>15</sup>

Meanwhile, however, the problem of annexation assumed a new phase in Texas. Murphy suggested to a member of Congress the idea of initiating a move in that body; and during the latter part of December, 1843, several prominent figures in the national legislature did propose, on the basis of the popular vote for annexation in 1836, to introduce bills for the purpose. On the nineteenth such a project after being read a second time was duly referred, so that the matter was now formally up before the committee on foreign relations. At this time Raymond, the secretary of the Texan legation in the United States, who had been sent home to obtain instructions on the subject and was on his return journey, intimated that the despatch conveyed by him was unfavorable to annexation. At once the Senate requested Houston to recall the messenger and postpone his departure until the matter could be laid before the Congress and action be taken by that body; but Houston denied the legality of this demand. Three days later, feeling—as Murphy understood—that the President had been trying to mislead Tyler as to the sentiment or will of the nation, the Senate called upon him to throw light on the negotiations with England, France and the United States regarding the independence of the country and her relations to Mexico; but this he positively and brusquely refused to

<sup>15</sup> Elliot, private, Dec. 31, 1843. Murphy, private, Feb. 22, 1844. Elliot, No. 4, Jan. 15; No. 6, Feb. 17, 1844. See note 33.



do. The already great excitement then rose yet higher; people talked fiercely about the "veil of mystery so artfully thrown around" the international policy of the government; and five members of the House committee on foreign relations requested Murphy to inform them, so far as he was at liberty to do, in reference to the state of things existing between Texas, Mexico and his own country, explaining that in no other way could the facts required for the discharge of their duties be obtained. Murphy prudently evaded the demand, but he was careful to inform Houston about it. More positive still, to counteract any misleading representation that might have been made by the Executive, a substantially unanimous declaration affirming that nine-tenths of the people of Texas desired to join the American Union was drawn up by the Congress, and was forwarded to Gilmer for the corresponding body of the United States. Apparently nothing was needed to stimulate the desire for American protection, but now came news that the negotiations with Mexico were likely to end in disappointment, and the frail nation to be cast adrift once more in the tumult of waters.<sup>16</sup>

However stubborn he might appear to be, the President was not really so. He perceived (as Captain Elliot reported after an interview with him) that his Congress were disposed to take from him all control over the matter of annexation, and as he himself stated a few months later to the British consul at Galveston, that he could not maintain his ground against the majority. Had Elliot and Saligny been at hand to sustain him by their presence, the Attorney General told the consul, Houston would have been able to hold his own; but without their support he found it necessary to put in play a deeper and subtler policy than mere inaction.<sup>17</sup>

Accordingly he laid a secret Message before Congress on the twentieth of January, in which—giving no personal opinion on the advisability of annexation—he pointed out that an unsuccessful endeavor to gain that end would mortify the national pride, would

<sup>16</sup> Murphy, conf., [Dec., 1843]. *Houston Telegraph*, Dec. 27, 1843; Jan. 3, 24; March 20, 1844. Raymond set out Dec. 18. *Nat. Intell.*, Feb. 10; April 12, 1844. Murphy, No. 16, Jan. 3, 1844. Members to Murphy, Jan. 13, 1844: State Dept., Arch. of Tex. Leg. Murphy to members, Jan. 18, 1844: *ib.* Id. to Houston, Jan. 18, 1844: *ib.* Houston said later that, but for this declaration, he would have frightened the United States into ratifying the treaty (*Phila. No. Amer.* June 11, 1845)! Murphy, No. 17, Jan. 15, 1844.

<sup>17</sup> Elliot, secret, April 7, 1844. Kennedy, private, May 31, 1844. According to Crallé, Chief Clerk of the State Dept. under Calhoun, Van Z. intimated that a treaty would probably be signed and—if necessary—submitted directly to the people (Calhoun, Works, v., 319). In view of public sentiment this threat, if made, must have had great effect on Houston.

diminish the claims of Texas to the confidence of other powers, and might affect very unfavorably the attitude of England and France, and therefore urged the necessity of observing "the utmost caution and secrecy" in the affair. He then suggested that if annexation could not immediately be effected, an alliance with the United States would secure the country against Mexico; and finally he proposed that Congress appropriate \$5,000 for a coadjutor to assist Van Zandt in dealing with the American government. This was done; and the members of that body, feeling reassured as to the policy of the Executive, scattered to their homes, leaving him to carry out the programme suggested. Accordingly the chargé was instructed to open negotiations for a treaty of annexation, should he become satisfied that it could be carried in the Senate. Little enough, however, signified this mere permission to begin *pourparlers*—especially as the Secretary of State added that it was proposed to send on a partner in the work—though it was something to which Houston could refer in self-defence, if charged again with trying to thwart the popular will; but another point in the letter signified much, for, pursuing the plan suggested in the secret Message, Jones directed the chargé to approach the subject of an alliance. Now an alliance was something for which the American government had shown no wish. It was in fact well known to be inconsistent with the established policy of the nation. The sole reason for proposing it must therefore have been that it was strongly desired by Houston; and in fact the President himself began a despatch to Van Zandt that was entirely similar in this regard to the one drawn up by Jones.<sup>18</sup>

About this time important letters arrived from the United States. Catron was deeply interested in the annexation issue, and worked with Van Zandt all winter. When the latter found himself checked by his instructions, he laid the matter before the Justice; and Catron, after spending a day in making inquiries, wrote to the Hermitage that a treaty could be ratified, hoping thus to bring Jackson's influence to bear upon Houston. Walker also sent a letter to the ex-President, stating that he believed the measure would receive the vote of nearly every Democratic Senator and many Whigs, thirty-

<sup>18</sup> Elliot, secret, April 7, 1844. Houston's Mess. and action of Cong. Laws of 8th Tex. Cong., 86. Yoakum, Texas, ii., 426. To Van Z., Jan. 27, 1844. Houston to Van Z., Jan. 29, 1844: F. O., Texas, xiv. Jones (Memor., 590) states that personally he was opposed to the whole policy of negotiating an annexation treaty at this time, but that he yielded to public sentiment and "the earnest wishes of the Executive." This tends to prove, not that Houston really favored annexation, but that under the circumstances he deemed it best to negotiate on the subject.

six members in all, and conjuring Jackson to communicate with the Texan Executive by the first mail. Jackson acted with extreme promptness, conveying these assurances to the President and enclosing two of the confidential letters received from Washington. In fact during the month of January, 1844, he addressed Houston several times on the subject. Undoubtedly these communications appealed strongly to their recipient; but apparently they had not the decisive effect longed for by their author, for in April Elliot reported to his government that Houston had adhered to his own policy in spite of "private instances from persons of great weight" in the United States, to whom he was "warmly attached."<sup>19</sup>

Moreover other advices were very different from Jackson's. The Texan consul at New York wrote that while a strong party favored annexation, he had no idea that the measure could be carried, since partisan advantage—not the public good—was always the question in the United States. On the last day of January letters from Senator Choate of Massachusetts and Senator Barrow of Louisiana were forwarded to a member of the Texan cabinet. Their contents are not precisely known; but the gentleman to whom they had been addressed informed Anson Jones that he would be convinced by them of the impossibility of effecting annexation, at least during the current year, and such was the conclusion actually formed by the Secretary of State.<sup>20</sup>

But now came something of a decisive character. Upshur's despatch of January 16, which was laid before Houston about the twelfth day of February, produced a sensation and justly so, for—even though it was a prediction rather than a menace—it almost amounted to an ultimatum. Practically it threw the sword into the scales to outweigh the President's policy, while by declaring the ratification of a treaty certain, it appeared to annihilate his defence against the American overture. Apparently nothing was left him except surrender. But the pupil of Cherokee Bowles could not easily be outplayed at the game of diplomacy. Two days later his Secretary of State wrote to Murphy that the protraction or failure of the annexation negotiations might cause Texas very serious difficulties with Mexico, France and England; yet if he would give an

<sup>19</sup> Catron to Polk, June 8, 1844: Polk Pap. Id. to Jackson, March 9, 1845: Jackson Pap. Walker to Jackson, Jan. 10, 1844: *ib.* Jackson to Blair, Sept. 19; July 26, 1844: *ib.* Houston to Jackson, Feb. 16, 1844: Galv. *Civilian*, Sept. 21, 1844. Elliot, secret, April 7, 1844.

<sup>20</sup> Brower to Reily, Jan. 4, 1844: Jones, Memor., 303. Reily to Jones, Feb. 1, 1844: *ib.*, 306. Jones, Letter: *Niles*, Jan. 1, 1848, p. 281.

assurance in the name of his government that the United States would "assume the attitude of a defensive ally of Texas against Mexico" and send adequate military and naval forces to the vicinity, Houston would appoint a minister to co-operate with Van Zandt in negotiating for the project. And then, as if in a casual way, Jones remarked: "In the event of a failure of the treaty of annexation, it is also necessary that this Government should have assurance or guaranty of its independence by the United States."<sup>21</sup>

At first sight the Secretary's demand to be protected may seem reasonable, but after a thought one realizes that Houston understood how impossible it was for the administration of the United States to give such a pledge constitutionally. Even Captain Elliot was well aware of this fact, and the ex-Governor of Tennessee can hardly have been less familiar than he with our organic law. The President cannot legally employ armed forces against a nation with which we are at peace, and therefore he cannot engage to do so. Moreover Upshur had stated explicitly in his despatch of January 16 that the Executive had "*no means*" of aiding Texas except such as he derived "from the treaty-making power." Elliot believed Houston understood quite well that the United States "could not act upon" the condition proposed, and it seems impossible to think otherwise. The inference naturally follows that the demand for an illegal pledge of protection was put forward in the expectation that it would be refused, or in other words was made—as Tyler suspected—to obtain a plausible ground for rejecting the American overture.<sup>22</sup>

This view does not seem, however, to be quite correct, for the plan of joining the United States was worth conserving both as a possible last resort and as a lever upon England meantime. Houston appears to have calculated in this way: If Murphy declines to grant my apparently reasonable demand, I shall have not only an adequate excuse in the eyes of all for any pro-British policy that may be adopted but also the means of exciting deep resentment against the United States among my countrymen. Probably, however, he will not assume the responsibility of thus closing the door

<sup>21</sup> Murphy, conf., Feb. 15; priv. and conf., Feb. 19, 1844. Houston to Van Z., Feb. 15, 1844: F. O., Texas, xiv. Jones to Murphy, Feb. 14, 1844: Sen. Doc. 349, 28 Cong., 1 sess., 4. The possibly near end of the truce made a guaranty of protection peculiarly desirable. It is interesting to note that Jones wrote as if the Congress had not made an appropriation for the coadjutor and thus virtually rendered the appointment obligatory.

<sup>22</sup> Elliot, secret, April 7, 1844. Tyler, Tyler, ii., 428. Of course the conclusion of the treaty of annexation changed the situation.

upon what he and his government so fondly desire. He will prefer to risk a step beyond his powers, knowing that his act can be disavowed if necessary. If his pledge is then repudiated by the American authorities, I shall have the same excuse and the same means of exciting resentment, together with the added effect of what many would regard as bad faith—or something like it—on the part of that government. Tyler and Upshur will see this; and a majority of their nation, anxious about England's designs and intensely jealous lest she win the day against them here, will be so apprehensive lest our indignation at their conduct should throw us into her arms, that they will be ready for a long step. They will say, "If we cannot possess Texas, let us at least be the ones to protect and dominate her; so let us make the alliance that she offers." These calculations were not without sagacity, and Murphy at once justified them as far as they concerned him, not only giving a pledge of protection in broad terms, but—while he declined to offer explicitly the further assurance demanded by Jones—giving a promise that Houston could have made equal to such an assurance for a long time to come. "The United States," he wrote, "having invited that negotiation will be a guaranty of their honor that no evil shall result to Texas from accepting the invitation."<sup>23</sup>

The wheels then began to turn. Murphy was informed that in view of his pledges the President had decided to despatch Henderson with full powers, to co-operate with Van Zandt in concluding a treaty of annexation. Houston completed his letter to the chargé at Washington begun on January 29. It was determined that his private secretary and confidential friend, Miller, should go north to act as secretary of the special legation,—for the purpose, one can but infer, of making sure that his personal views would be regarded by the negotiators and all their proceedings be made known to him. And finally Henderson was given instructions. In these he was directed to follow until further advised the orders previously conveyed to the Texan ministers at the same post, and in particular

<sup>23</sup> Murphy to Jones, Feb. 14, 1844: Sen. Doc. 349, 28 Cong., 1 sess., 4. Very likely Murphy knew that his pledge did not bind the government, and gave it simply because he felt that otherwise the negotiations could not proceed, trusting his government to handle the matter as they should see fit (Murphy to Tyler, Feb. 17, 1844: Tyler, Tyler, ii., 287). Murphy does not appear to have observed how his promise (being unlimited as to time) could be used, for he referred Jones to the Washington authorities as regarded the proposed guaranty of independence. Houston could have held, with an appearance and much reality of justice, that any later Mexican attack (for a long time) would grow out of resentment at the annexation negotiations.

to obtain from the United States before beginning negotiations "as full a guarantee as possible" touching the demands just made upon the American representative. This meant that before entering upon the discussion of a treaty the Texan minister was to require the explicit assurance asked of Murphy: that to say, a pledge that should negotiations be opened and the project fail, the United States would guarantee the independence of Texas or join with her in a defensive alliance against Mexico; and the President informed Elliot that his orders to Henderson were precise and imperative to decline all negotiations until he should receive such a promise. In other words, Houston returned once more—and this time with superlative decision—to that idea of safeguarding Texas as an independent nation which had been expressed repeatedly of late by Jones and himself.<sup>24</sup>

Here seems to have lain, exactly where one should look for it, the very pith of the Texan policy, and one is reminded of the President's attempt to obtain a truce from Santa Anna on such terms that it could have been prolonged indefinitely by the weaker party.

<sup>24</sup> Jones to Murphy, Feb. 15, 1844: Sen. Doc. 349, 28 Cong., 1 sess., 6. Houston to Van. Z., Feb. 15, 1844: F. O., Texas, xiv. Jones to Hend., Feb. 15, 1844. Feb. 25 further instructions were given him: Tex. Dipl. Corr., ii., 259. Houston, Letter, July 18, 1847: *Niles*, Sept. 4, 1847. Elliot, secret, April 7, 1844. It is from Houston himself that we learn of the special instructions given Henderson (Letter, July 18, 1847: *Niles*, Sept. 4, 1847). Houston says in this letter that the contingency contemplated was a failure of the American government to carry annexation through, but there are ample reasons to believe that the contingency specified was the failure of the annexation project from whatever cause. (1) Jones's demand upon Murphy, the one precise, official and contemporary statement of the condition insisted upon by the Texan government, indicates this clearly, and Murphy's compliant course was such as to strengthen rather than weaken insistence on this point. (2) Murphy wrote to Upshur, Feb. 15, 1844 (Sen. Doc. 349, 28 Cong., 1 sess., 6), that Houston would not negotiate regarding annexation unless the United States would undertake to guard Texas from "all the evils" likely to assail her in consequence of "complying with the wishes" of this country by entering into a treaty; and even had the treaty been rejected by the Senate of Texas on the ground, say, of illiberal terms, her willingness to make it would have been likely, by incensing Mexico and weakening the friendship of England and France, to bring most serious "evils" upon Texas, and render American protection of her independence necessary. In other words, Houston's demand, as reported by Murphy, was equivalent to Jones's. (3) Houston's language in the letter of 1847 is not really inconsistent with this view, for had the treaty been rejected by the Texan Senate on the ground of illiberal terms, this failure could have been construed as chargeable to the American government. (4) As Houston's letter was written in self-defence and after the two countries had become one, he may well have desired to shade the instructions given to Henderson. (5) He was not a precise man and he wrote from memory. (6) Elliot (secret, April 7, 1844), reporting an interview with Houston, said that the President ordered Henderson to require, before beginning to negotiate, "that the Government of the United States should distinctly guarantee to Texas the acknowledgment of it's Independence by Mexico, if the project of annexation failed [from any cause] of success." This matter becomes of importance only in connection with paragraph 26, though the discussion of it is in place here.

In this affair of annexation, said he to Jones, "We shall have to be as sharp-sighted as lynxes, and wary as foxes," and in seeking the reason for his peculiar course at this juncture one must cultivate a somewhat similar state of mind. Apparently he argued much as before, though of course with a broader scope. Various facts and in particular the statements of Clay, Choate and Barrow indicate, he said to himself, that no annexation treaty can pass the American Senate at present. Tyler and Upshur, however, believe the opposite. Consequently there is a chance of their making the agreement I demand, regarding it as a "merry bond" which they would never have to pay. Of course they would be extremely reluctant thus to overstep their authority, but jealousy of England, fear of Texan resentment and eagerness for annexation might bring them to it; and the same reasons plus a regard for the national honor would probably ensure the keeping of the agreement in some form, however unconstitutional the President's action might be considered by the people. In the meantime England, eager to have the annexation scheme fail, will at last adopt a decided policy on the condition of our remaining independent, and will not only obtain peace with Mexico for us but grant the commercial advantages we desire. The treaty will then fail in the American Senate; our recognition by Mexico, our alliance with the United States and our arrangements with England will stand; the future of Texas will be secure; and I shall be remembered forever as the founder of a nation.<sup>25</sup>

There was to be sure, a chance that an annexation treaty would be accepted by the American Senate, but even in that view Houston's grand ambition may have seemed not unreasonable. Ratification by the Senate of Texas also would have been essential; and had this been refused, it would have been incumbent upon the United States to defend her nationality for an indefinite period. Now undoubtedly her Congress and people desired security for themselves and their property—particularly their slave property—and were willing to join the Union in order to obtain it; but with a guaranty of their independence in hand they could have taken time to meditate again on the advantages of free commercial relations with Europe. There were also, it is true, sentimental influences drawing them strongly

<sup>25</sup> Houston to Jones, July 8, 1844: Jones, Memor., 371. Jones (Letter: *Niles*, Jan. 1, 1848) avowed that he did not believe an annexation treaty would be ratified by the American Senate, and Elliot (secret, April 7, 1844) thought Houston entertained the same opinion. The evidence before them seemed to prove this.

toward the States; but Houston had recently shown how deftly he could turn even an angry Senate at his will, and now—had it been placed within his power to ensure the realization of the brilliant future that he foresaw for Texas and the splendid fame that he appears to have coveted for himself by merely bringing about the rejection of the treaty—one can hardly doubt how strenuously he would have exerted himself. Both lines of thought as regarded the American Senate, however bold they be deemed, were shrewd, and Houston's proceedings at this time, the supreme crisis of his life, appear to support such a view of his policy. Had merely a fore-ordained treaty been contemplated, he could have awaited calmly the reports of his agents. But in fact he was so intensely anxious that he took the matter out of Jones's hands and planted himself at the town which bears his name, so as to receive early intelligence from the diplomatic seat of war.<sup>26</sup>

He found time, however, to sit down and compose a reply to Jackson's letters. In this he represented annexation as highly advantageous for the United States but not for Texas; yet he added that he favored the measure as "wisdom growing out of necessity," since at his advanced age he desired to live in an orderly community, and war would bring adventurers who might gain control of the nation at any annual election. "Now, my venerated friend," he concluded, "you will perceive that Texas is presented to the United States as a bride adorned for her espousals;" but this is the third attempt at annexation, and it is now or never. If the project fail again, we shall seek protection elsewhere.<sup>27</sup>

A genial, friendly, open-hearted epistle this appeared to be, and possibly so it was; but one remembers the lynx and the fox, and on a second look one discovers something below the surface here. The "necessity" seems to have been hardly the result of a craving on Houston's part for a quiet existence, for neither his character nor his later career supports that theory, and he was too large a man to decide a great national question on a selfish and paltry basis. On

<sup>26</sup> See remarks in note 24. Any one who chooses may, however, disregard this paragraph, since it appears clear that Houston did not expect the treaty to pass the American Senate. (Took) Houston to Hend. and Van Z., April 29, 1844: *Tex. Dipl. Corr.*, ii., 274 (cf. Jones, *Memor.*, 55).

<sup>27</sup> Houston to Jackson, Feb. 16, 1844: *F. O., Texas*, x. Houston's feeling toward Jackson was undoubtedly warm. Jan. 31, 1843, he wrote to him of "your many acts of affectionate kindness to me, under all circumstances, and in every vicissitude of life, in which you have known me"; and signed the letter, "Thy Devoted Friend" (*Jackson Pap.*). This letter of Feb. 16 was forwarded by Jackson to Sen. Walker (*Jackson to Lewis*, March 11, 1844: *N. Y. Pub. Lib. (Lenox)*).



the other hand the "necessity" suggested by Upshur in his despatch of January 16 was highly important, and we know from Henderson and Van Zandt that Houston so regarded it. The letter, then, appears to mean substantially this: Although it is for the interest of Texas to remain independent, we have had to consider the danger that the United States will be disposed to make us trouble if we adopt such a course; but, as we have now seemed to accept annexation in deference to their urgency, if the present movement in that sense fails they can say nothing hereafter against our pursuing our own policy, and, that no unpleasantness may arise, I hereby give due notice both of that fact and of the line we shall follow. To this it is necessary to add that when Houston said, Now or never, he almost certainly believed it would not be Now. Such a missive, directed to Jackson, was in effect a state paper, and thus we seem to find the President making another shrewd move to ensure and safeguard Texan independence. Of course Murphy was quite unable to fathom a mind of that depth, but he did perceive a coolness on Jones's part and suspected that he hoped annexation would not come to pass.<sup>28</sup>

All this while Van Zandt continued to be sanguine and urgent, and the treaty progressed so far that in half a day it could have been completed. With reference to the suggested substitute for incorporation in the great republic, he pointed out to his government that an alliance, besides being contrary to the settled policy of the United States, would give this country every disadvantage and none of the benefits to be expected from annexation, and therefore—especially after a rejection of the American overture—would be very unlikely to meet with favor, while the course of Texas in making such an arrangement would offend England and France as much as a willingness to join the Union. Besides, he had been officially informed that no such alliance was feasible. Then on the twenty-eighth of February the explosion of a new cannon on the *Princeton* suddenly put an end to Upshur's career; but after a brief delay Nelson stepped into the vacant place as temporary incumbent, and as Tyler desired to have the treaty finished by him rather than by the proposed new Secretary, the completion of the task appeared to be near at hand.<sup>29</sup>

<sup>28</sup> Van Z. and Hend. to Calhoun, April 15, 1844: Sen. Doc. 341, 28 Cong., 1 sess., 13. Houston may also have had in mind his policy of exciting American jealousy of England to the pitch of making an alliance with Texas. Murphy, No. 21, Feb. 22, 1844: Sen. Doc. 349, 28 Cong., 1 sess., 7.

<sup>29</sup> It has been inferred from Tyler's letter to Calhoun (Jameson, Calh. Corr., 939) that the negotiation was not substantially completed when the Secretaryship was offered to Calhoun, but the letter does not really indicate this. Van Z. No. 114, Feb. 22; No. 115, March 5, 1844.

So far, although special efforts were made to prepare the nation for the great issue, the actual negotiations had proceeded with great privacy. This was entirely proper, and the first Chief Justice of our Supreme Court had expressly recommended the constitution because it provided for secrecy in such business. Under the present circumstances reserve was for several reasons peculiarly desirable: first, in order to forestall an apprehended protest from England and France; secondly, to prevent the Mexicans from retorting with an invasion of Texas; in the third place to save that nation, if possible, from losing the good-will of its European friends in case the negotiations should lead to nothing; fourthly, to lessen the danger that American politicians would make the annexation project a party question; and finally to avoid giving the abolitionists time enough to organize a grand agitation against it. On the side of Texas Houston enjoined strictly upon his agents to keep the proceedings from the public; and on the other side Jackson recommended that course earnestly to Tyler.<sup>30</sup>

March 20, however, Van Zandt reported that Henderson's appointment had become known, and that the opposition press in the United States was daily pouring vials of wrath upon the idea of such a treaty. Further, he was anxious because he heard nothing from Jones and received no news from his colleague except that he was coming. The friends of Texas at Washington were urging that early action, if any, should be taken. The overwhelming defeat of Winthrop's attempt to bring before the House a resolution against annexing that country was regarded by many as a test, and it seemed highly important that so promising an opportunity should not be missed. Two days later he announced the receipt of Jones's letter of February 25, showing that less than four weeks were needed to go from one Washington to the other, yet he could give no further news of Henderson; and perhaps he suspected, as we may, that some intentional delay had occurred on the part of Texas in the hope of favorable news from the commissioners treating with Mexico.<sup>31</sup>

<sup>30</sup> (Jay) *Federalist* (Dawson), 449. Tyler, Tyler, ii., 278, 287. (Abolsts.) Lewis to Jackson, Dec. 4, 1843; Jackson Pap., Knoxville Coll. (Houston) To Hend., Feb. 15, 1844. (Jackson) Yoakum, Texas, ii., 425, note.

<sup>31</sup> Van Z., Nos. 116, 117, March 20, 22, 1844. (Winthrop) *Cong. Globe*, 28 Cong., 1 sess., 392 (March 15). Van Z. naturally expressed surprise that information regarding so secret an affair had leaked out in Texas. Now one can see, on the hypothesis of the text, that Houston may have desired to give notice of what was afoot so as to ensure a strong opposition in the American Senate; and both the fact of the leakage and the snapping way in which Jones intimated that Van Z. accused the administration of it are perhaps worthy to be remembered.

As will be discovered, the outcry against the rumored project was indeed fierce in the United States, but this did not put a stop to the negotiations. March 25 Van Zandt announced that all of Jones's points had been satisfactorily arranged, and that a treaty was now ready for Henderson to sign. He was still eager for action, fearing that a loss of time would ensure success to the great effort already under way in favor of laying the matter over to the next session of Congress. Disguises, he felt, were now useless, for even the secret law of Texas had been published. The outlook was still encouraging, too. "This Texas question will ride down and ride over every other," Tyler was reported as saying to Congressmen, and the opinion seemed reasonable. It appeared impossible that the Democrats would repudiate Jackson, and many of the Whigs seemed likely to join them on this question. On the last day of March Senator Fulton wrote to Van Buren that the other party were in confusion over the matter, and that it would be "death for any Southern man to vote against the Treaty". According to a letter in the *United States Gazette*, both sides were now disposed to accept the treaty promptly in order to prevent the dreaded question from getting into American politics. Apparently the measure could and should be rushed through, and the administration was for immediate action.<sup>32</sup>

Elliot, meanwhile, had been dangerously ill at New Orleans; but by the middle of March he knew that Henderson and Miller had been sent North, and also that the relations between Texas and her enemy had taken a turn for the worse. Naturally he inferred that she was looking towards the United States; and on the twenty-second of the month he wrote pointedly to Jones, informing him that England and France were still at work in the interest of his country, but that in view of the recent action of her government he desired for his own a full and frank explanation of her policy. The two European powers, he said, could not continue to urge upon Mexico a settlement upon one basis, while there was any reason to surmise that negotiations were "either in actual existence, or in contemplation, proposing a combination of a totally different nature."<sup>33</sup>

<sup>32</sup> Van Z., No. 118, March 25, 1844. (Tyler) *Lib.*, March 29, 1844. Fulton to Van B., March 31, 1844: Van B. Pap. *U. S. Gazette: Madis.*, April 25, 1844. (Immediate) Sen. Archer: *Cong. Globe*, 28 Cong., 1 sess., App., 693.

<sup>33</sup> Elliot, private, March 7; No. 8, March 15, 1844. Id. to Jones, March 22, 1844: F. O., Texas, ix. According to Yoakum (Texas, ii., 427), Elliot wrote to Houston on March 8 and 22 and was answered.

At the same time another danger, feared for some time past, assumed a definite shape. Hockley and Williams, the commissioners appointed to negotiate with Mexico, had begun their discussions at Sabinas about the first of December, and at Christmas they reported an encouraging outlook; but the Mexican representatives, learning that annexation schemes were afoot, withdrew the plan of an armistice favorable to Texas. This may have been done from spite, or because they did not wish to facilitate negotiations with the United States by granting a long truce; but whatever the cause, its result was equally unfortunate. What then followed is rather mysterious. But it is certain that Hockley was intensely opposed to the sacrifice of nationality; that the armistice finally agreed upon by the commissioners cut away the essential preliminary to incorporation in the United States by referring to Texas as a Department of Mexico; that Hockley and Williams returned to Galveston in fine spirits as if pleased with their work; and that they were supposed by many to have consented to this unpatriotic blow at their country for the express purpose of damaging the cause of annexation. Of course Houston could not accept an armistice that described Texas in such a way; the hope of securing undisturbed peace and legal independence through recognition by the mother-country vanished therefore from the horizon; and the fear of invasion took its place.<sup>34</sup>

To meet these difficulties the government resorted once more to finesse. Jones replied to Elliot by explaining the critical circumstances of the country, pointing out the apparent inability of Great Britain to contribute effectual aid, stating that—should the United States give the demanded pledges of protection—annexation would seem the best policy, and blandly hoping that this explanation would prove “entirely satisfactory” to England; and he then directed Van Zandt and Henderson to make the treaty as soon as they con-

<sup>34</sup> Memoria de Guerra, read Jan., 1844. *Nat. Intell.*, Feb. 7, 1844. *Texian Democrat*, May 15, 1844. (Withdrew) Jones to Elliot, March 18, 1844: Jones, Memor., 327. (Favorable to Texas) *Texian Democrat*, May 15, 1844. (Spite, etc.) Elliot, No. 8, March 15, 1844. (Hostile) Hockley to Jones, Feb. 28, 1844: Jones, Memor., 324. *N. Orl. Courier*, April 1, 1844. Norton to Calhoun, April 29, 1844: Jameson, Calhoun Corr., 949. Houston said the commissioners were excusable for signing because otherwise they might not have been permitted to return home (To Van Z. and Hend., April 29, 1844: *Tex. Dipl. Corr.*, ii., 274). This seems hardly reasonable. It is noticeable, too, that Houston had no condemnation for the apparent willingness of the commrs. to discredit their country and block annexation, and one suspects that his astute mind may have been at work. The commrs. reached Galveston March 26: *Nat. Intell.*, April 8. To Van Z., July 13, 1844. Houston to Van Z. and Hend., April 29, 1844: *Tex. Dipl. Corr.*, ii., 274. To A. Smith, March 26, 1844.

veniently could on the best terms to be obtained, should they deem these "admissible." Apparently the Texan administration had now decided finally, in consequence of the break with Mexico, to join the United States if possible. A moment's reflection, however, leads one to a very different conclusion. It cannot be supposed that Houston intended to accept and recommend to the nation whatever sort of a treaty his envoys, one of whom had shown himself distinctly pro-American, should choose to sign, for he was by no means the man to abdicate in favor of subordinates. Besides, the conclusion of a treaty, it must be remembered, was in his mind a long way short of effecting annexation. One perceives, too, that Jones's letter to Elliot was well calculated to bring before the English government the strongest possible inducements to act vigorously with Mexico. Two prime motives, then, can be seen for giving these instructions, neither of which signified a wish to enter the gate of the Union. One of them was in line with Van Zandt's argument that by signing the proposed treaty a strong party determined to defend Texas could be created in the United States; and the other was a desire to make effectual, by keenly exciting Elliot's fears of annexation, the lever applied to him. This view is perhaps confirmed by what ensued, for both of these results followed. The American administration resolved to employ all its powers in defence of the Texans, and Jones was soon boasting confidentially that European guaranties were ready to be offered. At the same time a domestic reason for the instructions to Henderson and Van Zandt existed. It was essential to have evidence—especially should Mexico begin hostilities in earnest—that the Executive had obeyed the will of the nation with reference to this affair, and one recalls that similar orders, given to Van Zandt immediately after the appropriation of the \$5,000, had no real significance.<sup>35</sup>

<sup>35</sup> Jones to Elliot, March 25, 1844: F. O., Texas, ix. To Van Z., March 26, 1844. April 3 Elliot replied, arguing against the course pursued by Texas. An interview between Houston and Elliot then took place. Houston explained that his secret Message and its consequences had been due to the disposition of Congress to take out of his hands the question of annexation. Elliot urged him to notify Upshur that an armistice—an armistice, it should be remembered, which recognized Mexican sovereignty—had been made, and that while Texas continued to treat with Mexico all negotiations with the United States not actually concluded must cease. The interview was unofficial; both men appear to have talked freely; and Elliot received the impression that Houston neither believed that annexation could be carried through nor personally desired that it should be (Elliot, secret, April 7, 1844). To Van Z., March 26, 1844. These instructions could not reach Washington in time to have any effect. Van Z., No. 113, Jan. 20, 1844. Jones to Miller, May 3, 1844: Miller Pap.

March 27 or 28 Henderson reached Washington and explained that he had been delayed at least ten days by the boats, which was apparently a rather lame excuse for being two weeks or more slower than a letter at such a juncture. He found the situation somewhat different from what he expected. Not only was Upshur no more, but Henry A. Wise, in order to ensure—as he believed it would do—the success of the annexation project, had urged that the Secretaryship be offered to Calhoun. This was by no means agreeable to Tyler. He felt more or less at odds with the powerful South Carolinian in consequence of what had occurred in 1840. He probably dreaded him as a radical, perhaps feared him as one stronger than himself, and possibly suspected him of a willingness to appropriate the credit of gaining Texas. Certainly he understood well the feud between him and Jackson, whose assistance in this business was essential; and he knew how the Van Buren and Adams factions detested him. By sharp practice, however, Wise extorted the President's assent,—the prospect that a treaty would be signed by the acting Secretary of State before Calhoun could arrive doubtless helping Tyler to make the appointment.<sup>86</sup>

The new incumbent, fully determined to obtain Texas if possible, reached Washington on the twenty-ninth of March. In December, Maxcy had informed him that an annexation treaty had been substantially completed; and McDuffie, in offering him—at Wise's unauthorized request but in the President's name—the post of Secretary, had said that within ten days after appearing at the capital he could sign this treaty, that forty Senators would support it, and that Tyler expressed hopes of securing Mexico's assent. Later, indeed, Calhoun stated that on taking up his work he found nothing to sustain him, and carried the project through by his own "bold unhesitating course," and Miller wrote to Jackson on the seventh of April that the prospect in the Senate was rather unfavorable, that the Whig members were inclined to postpone the matter lest it should affect Clay's prospects and a majority of the Whig

<sup>86</sup> Wash. *Spect.*, March 29, 1844. Hend. to Jones, March 30, 1844; Jones, Memor., 333. N. Y. *Journ. Com.*, April 2, 1844. Tyler, Tyler, ii., 291-294, 392. Wise, *Decades*, 221 *et seq.* (By Nelson) Van Z., No. 115, March 5, 1844; Tyler, Tyler, ii., 415. Tyler made the offer March 6, and sent Calhoun's name to the Senate at once. He was confirmed unanimously; and, while the *Madisonian* was of course mistaken in holding that its action committed that body to the support of annexation, yet—as it knew the treaty was under way and also, according to Senator Haywood, that Calhoun favored it—this unanimous welcome appears to indicate a strong leaning in that direction (Tyler, Tyler, ii., 290. *Madis.*, May 2, 1844. Haywood to Van B., May 6, 1844: Van B. Pap.).

editors opposed the measure, that Van Buren's friends in general openly favored it but no one could yet be sure what course that leader himself would take, and that some of both parties might "fear to approach" the matter. But Calhoun may have been influenced by an unconscious desire to do himself justice, and Miller by a conscious one to stimulate Jackson's exertions for the cause.<sup>87</sup>

At all events Henderson thought the outlook warranted proceeding, and he reported to Jones that although all the leading Whigs favored delay and a part of the Democrats—feeling that success in this important affair would better the Presidential chances of Tyler or Calhoun—leaned the same way, he felt satisfied that some would vote for the measure, should it be forced upon them at once, who would give it the "go-by" later. He felt sure also that every Democrat was at that time ready to support it, while the "most knowing friends" of Texas on the ground believed that enough Clay men would do the same to carry it; and for such reasons it was decided to go forward. In consequence perhaps of this bold stand, the well informed representative of the Philadelphia *Ledger* reported on the eighth of April that both parties were now anxious to settle the business immediately, so as to get it out of the way and prevent Tyler from making it an issue, and that while a few Democrats and the Webster Whigs would oppose the treaty, one of these groups would balance the other, and consequently the relations of the parties would not be affected.<sup>88</sup>

According to the President, Calhoun accepted the treaty substantially as it had been drawn, contributing only a few new ideas, whereas the correspondent of the *New York Journal of Commerce* wrote, and after further investigation repeated, that he remodelled the whole document; and it seems likely enough that he did recast the form of it, though not that radical changes were made. This cost a little time of course, but it raised no important problem. Another difficulty, however, proved serious. The American Executive, instead of confirming Murphy's pledges, disavowed them as

<sup>87</sup> (Determined) Calhoun to McDuffie, Dec. 4, 1843: Jameson, Calhoun Corr., 552; Id. to Gilmer, Dec. 25, 1843: *ib.*, 539. The British minister, who soon had an interview with Calhoun, represented him as "determined at all hazards" to effect annexation (Pak., No. 22, April 14, 1844). *Madis.*, March 30, 1844. Maxcy to Calhoun, Dec. 10, 1843: Jameson, Calhoun Corr., 903. Wise, *Decades*, 222. McDuffie to Calhoun, March 5, 1844: Jameson, Calhoun Corr., 934. Calhoun to Mrs. Clemson, May 22, 1845: *ib.*, 656. Miller to Jackson, April 7, 1844: Jackson Pap.

<sup>88</sup> Hend. to Jones, March 30, 1844: Jones, Memor., 333. *Ledger*, April 9, 1844.

going beyond his authority, and therefore a deadlock seemed inevitable. Much discussion took place, no doubt. One may be sure that all the considerations presented in Upshur's despatch of January 16 were strongly urged; and finally the Texan envoys, deciding to consult the near and urgent interests of their country in preference to those of a grander but uncertain character, disregarded the special instructions given to Henderson, carried the negotiations on and through, and then satisfied themselves with a letter written by Calhoun on the eleventh of April, which merely promised that a strong naval force and all the disposable troops should be concentrated near the frontier to "meet any emergency," and that "during the pendency of the treaty" the President would "use all the means placed within his power by the Constitution to protect Texas from all foreign invasion". Within a week Houston had suggested to Jones that should the American Executive fail to confirm Murphy's pledge, it would be easy to tell Henderson that his mission was at an end; but on the very day, April 12, when Murphy announced officially the disavowal of that pledge, the treaty of annexation was signed at Washington, and thus like a house of cards fell Houston's elaborate scheme. The United States neither wholly refused to defend Texas nor gave an illegal and entangling promise; and the action of the Texan representatives made it practically impossible to raise an outcry against the American government.<sup>39</sup>

The terms of the treaty were described by Van Zandt as the best for his country that the Senate could be expected to ratify, though less liberal than Tyler, the cabinet and the Southern mem-

<sup>39</sup> Tyler, Tyler, ii., 297. *Journal Com.*, April 17, 1844. Nelson to Murphy, March 11, 1844: Sen. Doc. 349, 28 Cong., 1 sess., 10. Nelson expressed the belief that Texas was in no immediate danger from Mexico. The substance of this despatch was communicated to the Texas government by Murphy on April 12 (Murphy to Jones, April 12, 1844: *ib.*, 12). Calhoun to Van Z. and Hend., April 11, 1844: *ib.*, 11. Calhoun's pledge differed from Murphy's in that it expressly limited the President's promise not only to the pendency of the treaty but to his constitutional authority. Moreover it was of course to be interpreted in the light of Upshur's despatch of Jan. 16 and Nelson's of March 11 regarding the bounds of that authority. Murphy's successor defined them in these words: "Mr. Calhoun . . . gives the assurance that, should the exigency arise *during the pendency of the treaty of annexation*, the President would deem it his duty to use all the means placed within his power by the Constitution to protect Texas from invasion" (Howard to Jones, Aug. 6, 1844: Sen. Doc. 1, 28 Cong., 2 sess., 28); and Calhoun stated that this definition was regarded as correct by the President himself (To Howard, Sept. 10, 1844: *ib.*, 38). How, then, the promise could be described (to quote an eminent historian) as "a directly unconstitutional usurpation" it is hard to see. Houston to Jones, April 6, 1844: Jones, Memor., 336. When they find what Henderson's instructions are, said the President in this letter, they will "see that the game is to be a two-handed one." All through this affair one must remember that Houston was a veteran gamester.



bers would have been willing to give; and even so he thought the prospect of ratification had now become doubtful. On the other hand, the *Ledger's* correspondent, writing on the tenth, represented favorable action at that session of Congress as every day more probable. The vote that he predicted was one each from Maine, Connecticut, New York and Michigan, and two each from New Hampshire, Pennsylvania, Delaware, Ohio, Illinois and the twelve slave States,—thirty-eight in all,—with New Jersey and Indiana doubtful. Indeed he believed that the benefits to be derived from annexation by New England would appear in such a light that even the Senators of Massachusetts might vote "Yea." "I confine myself strictly to facts as they have come to my knowledge, from sources to be relied upon," he concluded. Calhoun wrote to Murphy within twenty-four hours after the treaty was signed: "I entertain little doubt of its approval" by the Senate; "the voice of the country, so far as it can be heard, is so decidedly in favor of annexation, that any hesitancy on the part of the doubtful will probably give way to it"; and he said in particular the next month that opposition from Clay and Van Buren had not been anticipated. A little later the *Madisonian* stated that when the treaty was concluded intelligent and disinterested men believed that within a few weeks the administration would be supported by a clear majority of the people, and that nobody was able to see how men really in favor of annexation could neglect this golden opportunity to win a triumph over both foreign and domestic foes. Two days after the signing of the treaty the British minister, who was in close touch with a number of Senators, admitted that he felt "less sanguine" than previously of its rejection. In short, when the agreement was consummated, although a two-thirds vote of the Senate was necessary, it seemed to have a good fighting chance of success. Yet it was very plain that the measure labored under three very serious disadvantages. The most urgent grounds for it, those supplied by the Texan envoy at London, could not be made public; at any moment it was liable to become a party issue; and not only politics but the relations of certain leading public men were so tense, that only by the extraordinary good fortune of practically unanimous consent could it hope to succeed.<sup>40</sup>

<sup>40</sup> Van Z. and Hend., April 12, 1844. *Phil. Ledger*, April 12, 1844. To Murphy, No. 17, April 13, 1844. Calhoun to Wharton, May 28, 1844: Jameson, Calhoun Corr., 592. *Madis.*, June 10, 1844. Pak., No. 22, April 14, 1844.

The treaty was forwarded to Texas by messenger, and Murphy went up with the bearer to lay it before Houston. At the interview which followed the President expressed "his hearty approbation of every part" of the agreement, reported the chargé. Murphy then communicated to him the substance of a despatch just received from his government with reference to protecting Texas during the pendency of the treaty, which amounted of course to no more than Calhoun had promised her envoys at Washington; and upon this Houston "rose to his feet and gave utterance to his feelings of gratitude . . . for this distinguished manifestation of the generous and noble policy, which ruled in the Councils" of the Union.<sup>41</sup>

Apparently it was a beautiful and ideal scene, marked by a simple but lofty spirit and a noble frankness of expression. Yet Houston had written to Henderson and Van Zandt within a fortnight that he believed England and France would offer to guarantee independence and peace if Texas would agree never to join the United States, and that "in such an event" they could "not fail to discover what would be the proper course of Texas"; Jones informed Elliot that the conclusion of the treaty "was a source of great mortification and disappointment to General Houston and himself"; and before long the President "expressed great dissatisfaction" to Murphy's successor in strong, passionate and even menacing language with reference to that same "generous and noble policy" of the United States. If one could feel that perhaps too artful a look has been given to his course in this account of it, here could be found sufficient reassurance; and if his real attitude in regard to the treaty needs explanation, it may probably be found in what he wrote at this time to Henderson and Van Zandt: "We cannot go back, and

<sup>41</sup> Murphy to Calhoun, April 29, 1844: State Dept., Arch. Tex. Leg. To Murphy, No. 17, April 13, 1844.

<sup>42</sup> Houston to Hend. and Van Z., April 16, 1844: Record Book 44, p. 206, Tex. State Dept. (Jones) Elliot, secret, Dec. 28, 1844. Howard, conf., Aug. 7, 1844. Houston to Hend. and Van Z., April 29, 1844: Tex. Dipl. Corr., ii., 274. May 1, 1844, the *Telegraph and Texas Register* of Houston stated, as news from the United States, that Clay desired to have the question of annexation submitted to the people, which meant that he did not wish any action on the subject taken by the Congress then in session. Of course this news arrived some hours at least before it appeared in print, and apparently it could have reached Jones by May 2 or 3. May 3 Jones wrote to Miller, secretary of the special legation at Washington, D. C., that he believed the Whigs would have to vote for the treaty, but that postponement would be rejection; and in that case European guaranties of Texan independence could easily be obtained (Miller Pap.). Was this written to promote the ratification of the treaty? The United States Senate had voted on March 25 to adjourn on May 27, and Jones could not have supposed his letter

therefore we must march forward with decisive steps." The agreement had been signed; nothing could be gained by taking offence; and the only question to consider at present was how to make the best of the situation thus created.<sup>42</sup>

would arrive in time to exert any influence, even if he could possibly do so in opposition to Clay. Does it prove that he believed the treaty would be ratified? No, for we have a direct statement from him that he never entertained such a belief. The object of the letter seems to have been to say: We have made the treaty; we demand that it be ratified at this session of Congress; we tell you that if it is not, we shall turn to Europe; and now if this come to pass you cannot blame us. It was obviously of great importance to prevent the United States from having a ground of complaint should Texas pursue an anti-American policy. May 6, Houston wrote to Murphy dwelling on the vast possibilities of independent Texas backed by European nations; and announcing that, should the treaty fail, he would require any further negotiations on the subject to take place in Texas (Crane, Houston, 366). Upon this letter light is thrown (1) by what Jones said regarding European guaranties, and (2) by Murphy's report (dated May 8) that the Texan administration had opened the negotiations reluctantly and would promptly seize "the first occasion to change its policy," and that Houston showed so little faith in the success of the treaty that it was necessary "to keep near him" constantly. The remarks made above regarding the purpose of Jones's letter seem to apply to Houston's also. Both appear to have been written in pursuance of a deliberate intention to follow an anti-American line of policy yet make it impossible for the United States to take offence; and evidence of this design has been seen before. Cf. paragraphs 23-28 of this Chapter.

## THE ANNEXATION ISSUE IS PLACED BEFORE THE COUNTRY

THE opponents of the administration were very fond of asserting that the annexation issue had been "sprung" upon the country. To a considerable extent this was true; but it was owing mainly to their own course. Many influential editors would not recognize the foreshadowings that we have easily discovered, and kept their readers quite in ignorance of the prospect that soon the Texas question might come up again. As early as the first of December, 1843, the *Madisonian* complained sharply that the two great party organs at the capital, the *National Intelligencer* of the Whigs and the *Globe* of the Democrats, were ignoring the subject. Why such a course was pursued it is not hard to divine. There was a strong desire to fight the impending Presidential contest on issues already before the public, because the bearings of these and their influence upon the electorate could fairly well be gauged, while Texas—more than anything else—was liable to upset all the calculations of the political managers. If, as seemed likely, Tyler desired to excite an agitation on that subject, a cold silence, implying that such madness was quite incredible, was evidently the policy best calculated to discourage him; and this course, as an additional merit, would make it possible to cry out, "A Dark Plot!" should he persist.

On the tenth of February, 1844, the *National Intelligencer* took from the Houston *Telegraph* an item of news to the effect that Upshur had proposed some weeks before to negotiate regarding annexation, and on the twenty-sixth it quoted the New Orleans *Republican* as stating that a substantially unanimous resolution of the Texan Congress in favor of that project, passed early in January, had been laid before the American Senate in a secret session, that a vote of forty to nine in the same sense was cast by this body, and that a treaty, drawn for the purpose without delay, had been forwarded south. About the same time the Philadelphia *North American* cited the *Telegraph* as announcing that thirty-five United States Senators were disposed to ratify such an agreement, and the Galveston *Civilian* as declaring this statement "well founded";

and no doubt the editors of the *Intelligencer* were accustomed to inspect the *North American*, whose Washington correspondent one of them was said to be. At any rate they saw a letter from the capital, published in New York on February 23 and subsequently mentioned by themselves, which asserted that Tyler and Upshur, believing that thirty-eight Senators would vote for annexation, were about to conclude a treaty. As will appear in a later chapter, Clay wrote from New Orleans to Senator Crittenden about the middle of February that such an agreement was under way, and it can hardly be doubted that information so thrilling reached the editors of the *Intelligencer*. "For months" before April came to an end, said the Democratic Central Committee of Virginia in a formal address, "it had been known to the whole country, that the Executive of the United States was in treaty with the government of Texas, for the purpose of affecting the re-annexation of that country to our Union". But all the rather definite assertions of the press, added to all the previous foreshadowings and all that a journal so near the heart of affairs could readily ascertain, drew no editorial comment from the great Whig newspaper except—with reference to the item in the *Republican*—that it was devised for "wanton mischief or interested speculation." The influential *Bee* of New Orleans treated all the talk as idle; the New York *Tribune*, which had recently printed a communication describing the annexation plan as "most undeniably dead," did not correct this impression; and the *Atlas* of Boston, which had professed at the very end of February to observe no signs of "any serious or well concerted efforts" in that direction to be made at the coming session of Congress, appeared to hold the same opinion still.<sup>1</sup>

Daniel Webster, however, was for some reason on the alert. While in Washington during the winter of 1843-44 he inferred from a remark of Upshur's that something was on foot in regard to Texas, and on investigating the matter became satisfied of this. He proceeded then to write a couple of papers on the subject and offer them to the *Intelligencer*. On his way north he stopped at New York and left similar articles with King. March 13 he re-

<sup>1</sup> See General Note, p. 1. *Telegraph*, Jan. 24; *Nat. Intell.*, Feb. 10, 1844. *N. Or. Repub.*, Feb. 15; *Nat. Intell.*, Feb. 26, 1844. *No. Amer.*, Feb. 19, 1844. (Wash. letter) *Nat. Intell.*, March 18, 1844. See also (e. g.) *N. Or. Picayune*, Feb. 14, and *N. Y. Courier and Enq.*, March 5, 1844. See Chapter xii. (Cent. Comm.) *Rich. Enq.*, May 10, 1844. *Bee: N. Or. Courier*, March 25, 1844. *Tribune*, March 2, 1844. *Atlas*, Feb. 28, 1844.

quested Charles Allen of Worcester to have his January letter, addressed to citizens of that county, published at once if it had not already appeared, dictating what should be said by the editor in placing it before his readers and adding, "It is high time to alarm the country." And then he went on to Boston, eager to arouse the nation against what he termed "an abominable project."<sup>2</sup>

Even that mighty voice, however, was not potent enough to break the spell. Gales and Seaton of the *Intelligencer* were unwilling—though finally they consented—to bring out his papers, and the Boston *Atlas* opposed him. Webster's purpose, asserted the Washington correspondent of the Philadelphia *Ledger*, was to gain an advantage over Clay, and, added his colleague of the New York *Herald*, secure the Whig nomination for the Presidency himself. It was from friends of Clay, states Webster's biographer, that the opposition to the anti-annexation crusade proceeded; and so, whatever be true as to the motives of the great New England statesman, we seem to reach fairly clear evidence regarding those who stood for silence in his party. Among the Democrats like causes produced like effects. What Van Buren's attitude on the question would be was unknown; and the *Globe*, doubtless anxious to cause him no embarrassment, remained as dumb as its neighbor.<sup>3</sup>

But at last silence became impossible. On the fourteenth of March the *North American* gave notice that an annexation treaty had been signed. This was improbable, for Henderson had not yet reached Washington; but it appears that statements about the substantial completion of an agreement were given out by a relative—a son, it was intimated—of the President himself. Accordingly two days later the *Intelligencer* published an editorial, in which not a few assumed at once to discover Webster's hand, declaring that under the existing circumstances the scheme of annexing Texas was opposed by a "host of considerations" based upon good faith and expediency, and that the "unauthorized and almost clandestine manner" in which our government had "gone a-wooing" to Texas humiliated the nation.<sup>4</sup>

<sup>2</sup> Curtis, Webster, ii., 231. Webster to Allen, March 13, 1844: Writings, xvi., 417. Webster, Letter, Jan. 23: *No. Amer.*, March 19, 1844. For some reason, however, Webster did not come out boldly and openly.

<sup>3</sup> Curtis, Webster, ii., 231. *Ledger*, April 4, 1844; the *Madis.*, March 17, 1845, said the same. *Herald*, April 6, 1844. (*Globe*) Benton, View, ii., 587.

<sup>4</sup> *No. Amer.*, March 14, 1844. *N. Y. Tribune*, March 18, 19, 1844. Tyler, Tyler, ii., 305, says that after the negotiations were substantially completed no particular secrecy was enjoined or observed. *Nat. Intell.*, March 16, 1844.

The secret—so long an open one—was now suddenly discovered by the opposition press, and its guns awoke. As a frigid silence had not discouraged the President, the game was now to frighten him from his purpose by raising a tremendous clamor, as devils are driven away in certain parts of the globe with shouts and tomtoms. Such a proceeding on the part of the "Accident," the "Deplorable Accident," the "Shocking Accident" then occupying the White House, a mere "President for the time being," was an unparalleled atrocity. The "secrecy and haste" of the negotiations were said to prove that Tyler knew the people did not favor his plan. So great an extension of territory might be fatal to the Union, it was protested. The annexation of Texas would lead to war and a bloody career of conquest. The next step would be to seize Mexico, and the third to invade Canada. Even should not these consequences follow, it would be a dishonest and treacherous attack on a friendly neighbor and violate the compact on which the Union reposed. It meant disunion or more slavery; or at least it would result in a Southern preponderance that would smother the free States. The value of all lands in the Southwest would fall. A huge Texan debt would be saddled upon the country. Moreover that "pauper republic," that "wilderness," was not worth having, and could not give us a title if we wanted it. Shrillest of all perhaps rose the voice of the Boston *Atlas*, denouncing the measure as a "mad project," "irrational," "preposterous," "manifestly against the provisions of the Constitution," "diametrically at variance with the most obvious interests of the Country," the contemptible scheme of a "poor miserable traitor" temporarily acting as President, and a scheme, too, that was liable to end in ruin, bloodshed, the downfall of the American government and the overthrow of Republican principles. "We will resist it," exclaimed the editor, "with pen, with tongue, with every nerve and muscle of our body . . . with the last drop of our blood." A phalanx of twenty newspapers was marshalled by the *Intelligencer* against the proposition, upon which, however, the Washington *Spectator* commented that fifteen of the editors were of Yankee birth, two of English and the rest of unknown extraction. Full attention was given to the political aspects of the subject, and a purpose in Tyler's mind to embarrass the parties and embroil the sections, hoping desperately to snatch some personal advantage out of the general turmoil, was readily discovered. In particular, said the New York *Tribune*, the

objects were to make Clay unpopular with North or with South, place the Acting President "at the head of a local feeling if not of a party," increase the strength of the abolitionists by rousing anti-slavery sentiment, and thus draw far more votes from the Whigs than from the Democrats.<sup>5</sup>

One is a little inclined to suspect a touch of Mexican influence in the outcry, especially on finding the measure described as the "game of a set of self-exiled adventurers, many of whom would not dare to re-enter the territory of the Union, and a cabal of gamblers in Texan loans, who had risked little and who had counted upon princely fortunes" in case of success; and perhaps the suspicion is not wholly destitute of basis. In October, 1842, the Mexican minister to the United States reported to his government that in order to guide public opinion he had established useful relations with the editors of the best periodicals in Boston, New York, Philadelphia, Baltimore and other cities. At New Orleans as late as September, 1844, the Mexican consul was subsidizing a certain paper, and it does not seem extremely difficult to trace the effects in its columns. At least seven times during 1844 the *Madisonian* asserted that the *Intelligencer* was in the pay of Mexico, alleging that Thompson, a bearer of despatches to our minister in that country, had discovered the fact while on his mission; and a correspondent of James K. Polk informed him that Thompson had the proofs in his possession. No doubt, however, the passions and interests involved in the question of annexation, viewed as a purely American affair, were strong enough to explain a vast deal of excitement.<sup>6</sup>

Day by day the *Madisonian* endeavored to make head against the storm, though obviously its arguments and appeals were not likely to reach any large percentage of the partisan voters. When the *Intelligencer* first announced that annexation was on foot it merely replied, "Time will disclose"; but in a few days it boldly predicted that within a month all would stand united for the measure, since it appealed alike "to the interests and honor of all." At one time it repeated the facts and views of Walker's letter, declar-

<sup>5</sup> *Nat. Intell.*, March 25, 26; April 4, 6, 12, 16, 23, 1844, quotes from many newspapers; *Detroit Adv.*, March 28; April 10, 22, 27, 1844; *Atlas*, March 19, 21, 30, 1844; *Spect.*, March 25, 1844. *Tribune*, March 19, 1844. See also the *Balt. Clipper*, March 25; April 15; *No. Amer.*, March 27, 30, 1844.

<sup>6</sup> *No. Amer.*, April 5, 1844. *Almonte*, No. 26, Oct. 12, 1842. (Mex. Consul) Arrangoiz, No. 321, Oct. 25, 1842; No. 99, Sept. 12, 1844. *Madis.*, July 29; Aug. 3, 10; Sept. 25, etc., 1844. Davis to Polk, July 25, 1844; Polk Pap.



ing that the evils apprehended from annexation were "future and contingent," while the promised advantages were "immediate, important and certain" for every section. At another, referring to the emphatic action of the Democratic House of New York in favor of receiving the petitions against slavery offered in Congress, it called upon the "insulted and injured" South to stand united against a "great and alarming danger." Again, it asserted that annexation would have little effect upon slavery except to transfer negroes from one part of the country to another, and would cause the representation of that interest in Congress to lose strength. In one issue it pointed out quite plainly enough for the wayfaring man that annexation was an administration measure, and that its friends had both the will and the power to reward or punish, whereas its enemies would feel no indebtedness to those who joined the opposition; and in another it argued elaborately that should Texas be acquired and cotton be raised there by emigrants from the United States, the total amount produced would remain about the same as before, and the old American plantations could be devoted to corn; whereas were the Texan crop, stimulated by British capital, to reach the English manufacturers free of duty, and the American crop, dear on account of the exhaustion of our soil, to be the exclusive reliance of the American spinner, British cottons would be able to pay our tariff and still undersell our own goods.<sup>7</sup>

No less interesting perhaps were certain points of a more special kind. "Upon advisement" the *Madisonian* assured the public that Tyler's project was not intended to operate for or against either party, explaining that at one period Adams and Clay, at another Jackson and Van Buren, had labored to acquire that selfsame territory, and thus both sides had committed themselves to the plan. "Every man," urged the editor, "may support it, and still maintain his position in the ranks of any party"; and surely no one can deny the wisdom of a measure on which, for a long term of years, all political creeds have been as one while differing upon everything else. No State would change from Clay to Van Buren or *vice versa*, should a treaty be made and ratified; and certainly Clay, the champion of protective duties, would not be thrown over by the tariff men for simply espousing the side of Texas. If such

<sup>7</sup> *Madis.*, March 12, 16, 23, 28; April 11, 18, 1844. Of course it is unnecessary to present all the arguments, good or bad, employed. Any one desiring to examine them will wish to read the documents himself at length.

an increase of area was not dangerous when for a considerable period unwearied efforts were made to buy this territory, it certainly cannot be dangerous now. If Tyler's plan is opposed lest he gain credit from it, are not his opponents likely to earn discredit? If the leaders of both parties have tried to obtain Texas, should Texas be refused simply because offered by him? If the President's motive is to arouse a whirlwind of popularity, as his enemies allege, and be carried into the White House by it, can he be accused also of keeping these negotiations secret because in fear of public opinion?

Peculiarly cheerful was Mr. Jones, the devoted editor of the *Madisonian*, with reference to the charge of negotiating "in the dark" and "springing" the issue upon the nation. The question has been up, he pointed out, from the period of Madison's administration; eight years have passed since the subject of annexation came before the people and their representatives; Jackson favored the measure and was re-elected President; all the previous efforts to obtain that territory were made in secret, and nothing prevented the "springing" of a treaty in those days except the failure of the negotiations; Washington and Jefferson negotiated "in the dark"; Webster endeavored to secure a great accession of territory [northern California] by diplomacy so "clandestine" that probably not a thousand persons ever heard of it, and his negotiations leading up to the Ashburton treaty were equally kept from the public; as a matter of fact the Texas affair has been so well understood that Mexico has openly taken umbrage; and finally no one can deny that the Senators are quite familiar with the matter. It is no doubt the "honest hope of the President," added the *Madisonian*, "that the country will award his Administration due praise for accomplishing this most beneficial measure," but can that be termed unpatriotic? Surely not. On the other hand, to work against such a manifest national advantage is "hideously" anti-American, and fully in line with the still fiercer hostility exhibited in its day against the purchase of Louisiana.<sup>8</sup>

Between the extremes, a considerable number of journalists—particularly on the Democratic side—undertook to pursue a moderate course. The great objection here in the North, said the *New York Journal of Commerce*, is based upon slavery; but at present that institution is legal in the whole of Texas, and in the case of annexation we could eliminate it from half of the territory. Should

<sup>8</sup> *Madis.*, March 30; April 4, 5, 6, 11, 12, 15, 16, 23, etc., 1844.

the incorporation of that country lead to war with England, suggested the New York *Herald*, we can look to France for aid. "We would infinitely rather Texas would remain as she is—an independent nation," remarked the Boston *Post*, but she is not strong enough to stand alone, and even if the arguments against annexation seem at the North almost insuperable, all the talk about an "infernal plot" is clearly for political effect. The *Pennsylvanian* summed up its impressions thus: "That the territory of Texas once formed part of the domain of the Union, from which it was severed by a most erroneous policy; that its present inhabitants, by a large majority, indeed almost unanimously, desire to form part of it again; that they are Americans in language, habits, government, institutions, and nearly altogether by birth; that foreign European powers, and England especially, are striving by every art to which nations secretly and openly resort, to obtain influences and privileges there which must be adverse to the United States, and deeply injurious to their interests and commerce—these are facts which are too palpable to admit of contradiction."<sup>9</sup>

Particularly interesting was the course of the Philadelphia *Ledger*. On the twenty-sixth of March it pronounced the acquisition of Texas entirely impracticable for the time being; but three days later it conceded that should a European power undertake to acquire the country as a colony, "its annexation to the Union would be our duty." "Let us suppose," it continued, "that Britain seeks a colonization, or offensive and defensive alliance with Texas, and then ask what, in such a contingency, is our duty? Our reply is annexation; with the consent of Mexico, if it can be obtained, and without such consent, if it be not obtainable." Great Britain, argued the editor, desires Texas as a market, as a *dépôt* for smuggling goods into the United States and Mexico, as a station for naval operations against New Orleans, as a base for working upon our slave population, and as a step towards the China trade by way of Oregon; and moreover, having abolished slavery in her colonies in order to develop markets there for her manufactures, she now desires to protect her colonies against competition by abolishing slavery everywhere. This was a marked advance, and within three weeks the journal was dwelling on the injury to Northern manufacturers that would result from a British monopoly of Texas,

<sup>9</sup> *Journal Com.*, March 30, 1844. *Herald*, March 23, 1844. *Post*, March 25, 1844. *Pennsylvanian*, March 9, 1844.

and the losses that would be suffered by Northern ship-owners were European goods to be carried to Galveston in English vessels and then be smuggled into the United States, instead of coming to American ports in American bottoms.<sup>10</sup>

All this while the *Washington Globe* remained passive. Blair, the editor, was ill; but he saw visitors and could of course have dictated a line of action. Apparently he did not know what line to adopt, though Van Zandt had been assured by a member of Congress that he would favor the President's policy in this affair. Benton, who was in a position to know, states that Walker asked Blair to ascertain Van Buren's opinion on the subject, and that Blair, not suspecting a trap, wrote to the ex-President but received no reply. At length, however, Jackson grew impatient, and on the twelfth of April he urgently requested the editor to take up his pen in the cause, for which reason or for some other on the evening of the fifteenth the *Globe* spoke. A painful illness, Blair explained, has compelled us to be silent up to this time, but we earnestly favor the recovery of what was once ours. If Mexico ever had a title to Texas, her citizens have won it by successful rebellion. Yet it is proper to gain the consent of the former owner of the territory, if possible, and to pay her an equivalent. Pakenham has been sent to Washington to prevent annexation; the British press and party in the United States are against the measure; and it is evident that England is aiming to distract and divide us. These facts of themselves are enough to point out our path. It is said that Tyler has brought up the question for his own political advantage and the benefit of the scrip-holders. If so, it does not matter, for every great measure designed for the public good is accompanied with private and selfish schemes. We feel, however, that a secret treaty will not answer. The representatives of both countries must approve of the measure; but if that be done, we see no objection to immediate annexation.<sup>11</sup>

Doubtless many of the persons interested in Texas lands, bonds and scrip exerted themselves to mould public opinion, but it seems impossible to form any accurate or even approximate notion as to the extent or the effect of such influences. The Washington corre-

<sup>10</sup> *Ledger*, March 26, 29, and in the *Wash. Globe* of April 20, 1844.

<sup>11</sup> Van Z., No. 111, Nov. 30, 1843. Benton, *View*, ii., 588. Jackson to Blair, April 12, 1844; Jackson Pap. *Wash. Globe*, April 15, 1844. Raymond (to Jones, April 24, 1844) understood Blair as advocating delay; and certainly the execution of his plan would have required time.

spondent of the *North American* pointed out Mercer, at one time President of the Chesapeake and Ohio canal, Mason, an ex-Governor of Michigan, Duff Green and Senator Walker as financially interested in such properties; but Walker promptly denied the allegation, —though he did not deny that his father-in-law had settled in the Lone Star republic,—and possibly the others were mentioned with no more justice than he. The bond-holders and land-scrip-holders have great influence, said John P. Kennedy, a Maryland Congressman, in a public letter; but a statement like that helps us little. “I have no doubt,” wrote Thomas Clayton from Washington, “that great corruption is at the bottom [of the Texas excitement]. The lands of Texas are a fine fund of corruption, and the Bonds are here, I understand, in considerable amount, and at present worth about ten cents in the dollar, but if the admission takes place, will be worth one hundred cents for the dollar, for it is admitted that the general government is to assume the debts of Texas, and to take her public lands encumbered with fraudulent grants for the whole of it.” Considerable effect should be attributed to such interests, but financial motives far more widely distributed weighed on the other side; and after all, in a case where the actions of a public man were sure to be so closely watched, private considerations of a paltry sort could exert but little influence either way.<sup>12</sup>

Equally intangible but much more easily estimated was the influence of Jackson, the Mohammed of the Democratic party. March 22 the *Richmond Enquirer* published his letter of February, 1843, and it was very widely copied of course. About the same time he issued another. This is the golden moment, he insisted; and if Texas be not accepted now, she will necessarily go over to England. The opinions of the ex-President, a popular hero and prophet, were on a far higher plane than mere editorial dicta however clever or emphatic, and the sentiment of the people could not fail to be affected.<sup>13</sup>

On the other side as well, efforts were made to rise above the style of newspaper polemics. In April Theodore Sedgwick con-

<sup>12</sup> *No. Amer.*: Newark *Adv.*, April 1, 1844. *N. Y. Journal Com.*, April 13, 1844. *Nat. Intell.*, May 21, 1844. T. Clayton to J. M. Clayton, March 25, 1844: Clayton Pap. (Motives) Tyler, Tyler, ii., 323. The tariff interest, the fear of the migration of planters and slaves to Texas, the fear of the depreciation of lands, etc., counted.

<sup>13</sup> Tyler, Tyler, ii., 305. Benton (*View*, ii., 587) says the letter was offered to Blair, but—from a feeling of good-will towards Van Buren—declined. The date was changed, apparently by accident, from 1843 to 1844, but was soon corrected. Jackson, March 11, 1844: *Madis.*, April 3, 1844.

tributed a series of articles to the New York *Evening Post*, issued later as a pamphlet, in which he replied to Walker's famous Letter. Unfortunately he began by proving over-much,—to wit, that under the constitution Texas could not legally be acquired by any method whatsoever, a conclusion that was very likely to strike the average sensible man as a *reductio ad absurdum* of his argument. Then he went on to prove what was not a fact, namely, that secret negotiating with foreign powers was a novel and dangerous proceeding; and after this achievement he undertook to prove what only a select portion of the community were able to believe,—viz., that his authority was higher than General Jackson's on the question of defending New Orleans against the British. With equal skill, however, and better omens numerous other points were urged: the moral obligation to observe a treaty, the seriousness of a war, the soundness of Washington's advice to avoid foreign complications, the dishonor of wronging a weak nation, the difficulty of defending Texas itself in case of a war with England, the impossibility of appropriating all the Gulf territory that could furnish cotton and sugar to Great Britain in exchange for her manufactures, and the danger of increasing sectional interests and therefore sectional dissensions by incorporating remote and dissimilar people,—though in every case room was left for some difference of opinion as to the applicability of the principle. The fact that for six and a half years England had not attempted to form even a close alliance with Texas was appealed to as proof that she entertained no designs inimical to Texan independence or American interests, and the fact that indomitable freemen from our own West had settled beyond the Sabine was cited as good evidence that she would never be permitted to colonize there. Walker, maintained Sedgwick with truth, had greatly exaggerated the value of the markets that annexation would throw open to the North, and the harm that smuggling might do should not that measure be accepted. Gross errors in the Senator's defense of slavery were exposed; and finally, reaching the heart of his message, the writer asserted that as the real aim was to enlist all the energies of the national government for the perpetuation of slavery, the true issue was upon that question. It was an able, elevated and forcible presentation of the case, about as correct on the whole as the argument it undertook to refute though far less winning, and no doubt it had effect; but as a broad and statesmanlike

view of the international issues involved it was made very lame by the author's unavoidable want of knowledge.<sup>14</sup>

Effective, too, was another demonstration on the same side. On the evening of April 24 three thousand persons assembled at the Tabernacle in New York City, listened attentively to the venerable Albert Gallatin, who presided over the meeting, and to other noteworthy speakers, and passed certain resolutions brought in by David Dudley Field. The gist of these was that since the United States had recognized Texas as a part of Mexico and Texas had recently described herself as a Mexican province, the annexation of that territory would flagrantly violate our treaties with a neighboring country and would even be equivalent to a declaration of war,—a war that would dishonor the nation and launch it upon a career of aggrandizement in order to make a worthless acquisition and extend the curse of slavery. No one observed that we had formerly recognized Mexico as a part of Spain yet afterwards acknowledged her independence, nor that the recent description of Texas as a Mexican Department had proceeded from two men destitute of authority to do such an act. The logic of the resolutions appeared unanswerable, and they were cordially adopted.<sup>15</sup>

Many looked very naturally to Congress for light on the perplexing subject, but what occurred in that body served on the whole to excite rather than guide public opinion. Beginning to be numerous during the latter part of March, petitions, memorials and resolutions against annexation appeared frequently in the House and still more often in the Senate. Prompted by Webster, Robert C. Winthrop of Massachusetts attempted on the fifteenth of that month to introduce a resolution in the lower chamber to the effect that "no proposition for the annexation of Texas to the United States ought to be made, or assented to, by this government"; but a hundred and twenty-two votes against forty refused to suspend the rules in order to admit it. Ten days later, when Hughes of Missouri offered a resolution calling for the occupation of Oregon, Black of Georgia proposed an amendment looking to the re-annexation of Texas, and the amendment was accepted by Hughes; but the resolution was laid on the table by a strong majority. Little guidance could be derived from a comparison of these votes.<sup>16</sup>

<sup>14</sup> Sedgwick, *Thoughts*.

<sup>15</sup> *N. Y. Tribune*, April 25, 1844.

<sup>16</sup> See the published Journals from day to day. Curtis, Webster, ii., 231. Winthrop: *Cong. Globe*, 28 Cong., 1 sess., 392. Hughes: *ib.*, 434. Pakenham (No.

One note, however, seemed to rise clear above the confusion, especially in the popular branch of the national legislature,—the note of protest against all British interference in the affair. The signers of an Illinois petition against Tyler's supposed project explained through one of their number that after all they would rather take Texas than let England have it; while Ingersoll, chairman of the committee on foreign affairs, declared with reference to annexation that it was a question between the United States and Great Britain, and said in the House: "I would give Great Britain to understand that that is exclusively an American question, . . . with which England has nothing to do, and with which we would not suffer her to have anything to do." But however clear sounded this note, it was by no means cooling.<sup>17</sup>

For some time after the annexation issue came thus before the country it did not wear a partisan aspect. It was commonly represented as a scheme of Tyler, the man without a party, to advance his personal interests. "Tyler and Texas," cried the *New York Tribune*, is the slogan that is expected to rout both Clay and Van Buren and continue the reigning dynasty. But about the middle of April Botts, a brilliant though erratic Virginia politician, attempted in a public address to make capital for the Whig party by identifying it with the opposition to Texas. This was ominous, for such an idea was like the letting out of waters. Besides threatening ruin to the treaty, which could only hope to pass the Senate as a non-partisan measure designed for the general good, it foretold the full measure of political arts, prejudices and passions.<sup>18</sup>

Some tried to remain cool amid the rising excitement. The *Charleston Courier* for example urged that the question was "one of grave interest and important results," and that "its happy adjustment would need the best minds and hearts of the country"; but only the few listened to such counsels. Reason, statesmanship and regard for the common weal were generally forgotten, while prejudice, partisanship, sectionalism, elevated but short-sighted philanthropy, financial self-interest, hatred of Tyler, well founded but unreasoning distrust of England, and everything else that could

16, March 28, 1844) reported that the vote on Hughes's resolution was due to the combined opposition of those who objected to the substance of it and those who objected to the time and manner of bringing it forward; and that really a majority of the House favored annexation.

<sup>17</sup> (Illinois) House, Jan. 20. (Ingersoll) *Wash. Globe*, May 1, 1844; in House, March 18.

<sup>18</sup> *Tribune: Nat. Intell.*, April 19, 1844. *N. Orl. Com. Bull.*, Dec. 28, 1844.



rouse feeling were keenly remembered. Even a Webster could stoop to excite public sentiment against the acquisition of Texas, at a time when the railroad and the telegraph were evidently to annihilate distance, by arguing that it would be perilous to enlarge the area of the Union. The situation was well characterized by the *Richmond Enquirer* in the boding remark, The Texas question is "coming with rapid strides upon us"; and for one reason or another, as it drew near and still nearer, all sections, all parties, all factions and almost all public men felt a vague but profound sense of danger like that voiced by Whittier on observing its approach:

"Up the hillside, down the glen,  
Rouse the sleeping citizen,  
Summon out the might of men.  
Like a lion growling low,  
Like a night-storm rising slow,  
Like the tread of unseen foe;  
It is coming, it is nigh,  
Stand your homes and altars by,  
On your own free threshold die."<sup>19</sup>

<sup>19</sup> *Charleston Courier*, March 20, 1844. *Enq.*, April 6, 1844.

## X

### THE ADMINISTRATION CHANGES FRONT

AFTER the treaty of annexation was signed Tyler withheld it from the Senate for ten days, and in the meantime the government appeared to make a striking change of front on two extremely important aspects of the subject.

All along they had regarded the assent of Mexico as unessential. Even the urgency of Senator Archer, chairman of the committee on foreign relations, had not been able to modify their attitude on this point. Upshur said emphatically that the United States considered it unnecessary to consult any other nation in dealing with Texas; and even Webster took the ground that Mexico, having acquiesced practically in the American recognition of that country and made no serious efforts to reconquer her, could scarcely claim that her incorporation in this republic would create a new state of things. What was more, to ask the assent of Mexico would have affronted Texas and would have convicted the United States of insincerity or something more, since that step would have implied that we knew Texas was not independent; and, even could these embarrassments have been evaded through the arts of diplomacy, it would have been perilous to open negotiations with Mexico on the subject. Had she refused to assent, the treaty would have been far more offensive to her than if she had not been consulted; while had she not refused, endless discussions and delays and countless chances for international complications would have been sure to result.<sup>1</sup>

Very possibly it was believed that on finding annexation had been determined upon, she would yield a tacit if not a formal consent. In February, 1844, Upshur had a conversation on the subject with Almonte. He stated that the question would almost certainly come before the American government, and would have to be settled; that in all probability Mexico could not defeat the Texans on the field, and that unquestionably she could not regain control of

<sup>1</sup> See General Note, p. 1. (Archer) *Cong. Globe*, 28 Cong., 1 sess., App., 693. Upshur to Almonte, Dec. 1, 1843: Sen. Doc. 341, 28 Cong., 1 sess., 99. Webster to F. Webster, March 11, 1845: Curtis, Webster, ii., 249.

them. Almonte acknowledged the force of these remarks, but intimated that a point of honor was involved which would determine the policy of his nation. Upshur, observing that knight-errantry had now been laid aside, urged in reply that Texas would either join the Union or achieve her independence under the guaranty and protection of England; that for this reason, if for no other, the United States would be "under a species of necessity to receive her"; that it would be infinitely better for Mexico to have her form a part of this country than to let her become, as otherwise she would, "a mere commercial dependency of England,"—a view in which Almonte fully concurred; that for any injury suffered by Mexico as the consequence of annexation the United States would be willing to make reparation, he felt sure; that as we should never be an aggressive power, this extension of our territory should excite no alarm; and that any increase of American strength in the Gulf would really be advantageous to all of the smaller maritime nations, since it would tend to promote the freedom of the seas. To these opinions also Almonte assented. The conversation, he further said, had been very satisfactory to him; so far as he was concerned, he would suffer no useless punctilio to stand in the way of the substantial weal of the two countries; the nations of America ought to have a policy of their own, and a good understanding between them was necessary for this; and he would take great pleasure in communicating the substance of the conversation to his government, if authorized to do so. This authorization Upshur gave. Up to the time the treaty was signed no answer from the Mexican authorities could have been expected, and Upshur may reasonably have inferred from the minister's expressions that a satisfactory arrangement with his country was by no means out of the question. The new Secretary also conferred with Almonte. In April the correspondent of the *New York Journal of Commerce* wrote: "I know" that the Mexican minister has had "free interviews" with Calhoun, "has been made acquainted with all that has been done," and instead of protesting against it, "has expressed a favorable disposition towards the wishes of this Government"; and a despatch of the British minister strongly tends to confirm this account. Certain related facts also are to be remembered. Our representative at Mexico had reported at the beginning of February that he believed Santa Anna would like to have the United States compel him to end the war with Texas, and that Mexico would rather see her old

province connected with any other power on earth than with England, whether politically or commercially. It was true also that Tornel, who probably had more influence with Santa Anna than any one else, recognized that Texas was forever lost; and, that being admitted, it would naturally seem better to let us have it for a liberal sum than virtually to give it away to England, and let all northern Mexico be flooded with cheap British goods smuggled across the border.<sup>2</sup>

Finally, a conviction prevailed in the United States that Mexico had repeatedly violated the treaty of amity. There had been a series of individual "outrages" against American citizens in that country; and although she had eventually yielded to the positive demands of the American government for redress, the *Madisonian* was not far wrong in maintaining that a tardy and forced recognition of our claims was not a fulfillment of the treaty. There had also been general "outrages." In violation of the agreement between the nations, American merchants residing in Mexico had been forbidden to engage in retail trade. Our citizens had been prohibited from crossing the common boundary without special permission. Peaceable Americans residing in California had been seized and deported, and the promise to indemnify them had not been fulfilled. A secret order had even been issued to expel every one of their nationality from the northern Departments. Under a military decree all of our people captured with arms in their hands on the soil of Texas were liable to be shot; and the profitable trade of American merchants with northern Mexico by way of St. Louis and Santa Fe had been arbitrarily stopped. Mexico had denounced our national authorities before the world in very offensive language for misdeeds of which they had not been guilty, and had even gone so far as to threaten war through her accredited representative before she could bring forward any proof that the subject of receiving Texas was so much as to be considered by our government. Under all these circumstances, to ask her consent before negotiating a treaty with that country would have been an extraordinary course, especially as we had not requested the permission of the mother-country to

<sup>2</sup> Notes of a Conversation, Feb. 16, 1844: State Dept., Communications from Mexican Leg., i. *Journal Com.*, April 17, 1844. Pak., No. 22, April 14, 1844. Thompson, No. 40, Feb. 2, 1844 (for his precise words see p. 418). Id. to Green, March 27, 1844: State Dept., Desps. from Mins., Mexico, xii.

deal with Mexico herself before Spain had acknowledged her independence.<sup>3</sup>

But a day came, said Archer to the Senate, when the administration "renounced or began to falter in the confidence of a present annexation, from the obstruction of those who demanded the concurrence of Mexico, or [at least] reasonable endeavors to obtain that concurrence, and the defeat of these endeavors." Probably, too, there was a particular cause for discouragement which Archer, a Whig, did not consider it necessary to mention in his speech. Behind the objections of those who manifested such tenderness for the feelings of another country something more substantial appears to have been detected. According to Tyler's son, the reason why the Senator was taken into the confidence of the Executive was that a whisper, intimating that Clay would oppose annexation, began to be heard at this time.<sup>4</sup>

The whisper represented a voice. Early in the preceding December the head of the Whig party had written to Senator Crittenden as follows: It is not right that for selfish reasons Tyler should add another to the exciting topics already before the country. Congress could no more annex Texas than it could annex any other independent nation,—in fact less, because Mexico asserts a claim against her and is endeavoring to enforce it. We could not obtain her without a war, and "I suppose nobody would think it wise or proper to engage in war with Mexico" for that purpose. Every one knows the Senate would not ratify an annexation treaty. The only aim, therefore, in presenting one would be to excite discord; and should Tyler make such a recommendation, it would be best "to pass it over, if it can be done, in absolute silence." "I shall regret very much," continued Clay, "should the proposition come to a formal question, if the Whig party should, in a *body*, vote in the affirmative," for such a vote would be "utterly destructive of it." To these remarks was joined a series of arguments against the project of annexation. As the document was marked private and confidential, Crittenden of course kept it very much in the closet; but letters received from the same source in February and

<sup>3</sup> *Madis.*, May 7, 1844. The author intends to deal with the Mexican "outrages" in a volume on the causes of our war against Mexico; see *e. g.*, Tyler, Tyler, ii., 336.

<sup>4</sup> Tyler is said to have believed until after the treaty was signed that Clay and Van Buren would favor it (Tyler, Tyler, ii., 306). *Cong. Globe*, 28 Cong., 1 sess., App., 693. Archer's statement is confirmed by Pakenham's report of what Senators said to him (No. 22, April 14, 1844). Tyler, Tyler, ii., 298.

March indicated that Clay was distinctly anxious on the subject, and Crittenden himself became so before the latter month ended. It is natural, therefore, to suppose that the wishes of the chief were made known to his partisans at about this time; and no doubt Henderson, a Whig Senator from Mississippi, shared in the councils of the party. March 29 a Clay organ in Boston, the *Atlas*, announced in a leader that it had reason to believe the Senators of the party had combined against annexation,—an announcement confirmed substantially in succeeding issues,—and Henderson must have been equally well informed. As his vote on the question, when it came before the Senate, showed that he was more loyal to Texas than to his party, it is very likely that he gave his colleague, Walker, a hint of the situation; and if he did so, the information soon reached the President. Now Clay's opposition and a combination of the Whig Senators in furtherance of his desire, should nothing occur to mollify them, evidently meant the rejection of the agreement with Texas; and the administration found it necessary to plan accordingly.<sup>5</sup>

Were the treaty to fail, it was highly important not to have it knocked unceremoniously and ignominiously on the head at once as Clay wished. It was also very expedient to hold the subject before the country for some time in order to make the people think about it and realize, as the administration believed they would realize, the benefits of acquiring this additional territory; and no doubt it seemed extremely desirable to Tyler to keep himself in view as the champion of the annexation cause until after the Democratic convention should nominate a candidate for the Presidency. Under these circumstances, apparently, Archer's advice was asked, and he recommended afresh to secure the assent of Mexico. Tyler, however, did not change his mind on that point. The assent of Mexico he would not and could not ask. But still here was a way to gain time, for he could send a messenger south and endeavor to make some arrangement with that country. This move, then, was decided upon at once; and in consideration of it the chairman of the Senate committee on foreign relations promised that he would try to delay action in that body for the probable time required to obtain an answer from Santa Anna, which was estimated as about forty-five days. Moreover, by adopting this plan a number of undecided

<sup>5</sup> Clay to Crit., Dec. 5, 1843; Feb. 15; March 24, 1844: Crit. Pap. Crit. to Ewing, March 30, 1844: *ib.* *Atlas*, March 29; April 6, 16, 1844.

Senators were doubtless conciliated by the administration, and perhaps became its friends, not only against the immediate rejection of the treaty, but with reference to the subject of annexation in general. Possibly, too, in view of the Mexican threats, it was thought that a message from the United States on this subject might produce an ebullition of anti-American feeling that would rouse the public here. It is absurd to summon a nation to answer at the word, exclaimed the *Washington Globe*; but perhaps the editor had not considered all the aspects of the affair.<sup>6</sup>

A messenger was therefore despatched to Mexico with instructions to the American representative at that capital, and also, it would seem, with orders to conduct certain negotiations himself,—all of which will appear later. The newspapers had it that the United States proposed to pay Mexico six million dollars for recognizing Texas—a step which would have removed all ground for asking her assent to the treaty of annexation—and ceding to the United States the port of San Francisco; and Raymond, secretary of the Texan legation, considered this report of sufficient authenticity to be made known to his government. For some reason a good deal of mystery clouded the departure of Thompson, the messenger. The correspondent of the *New York Journal of Commerce* asserted positively that he set out the fourteenth of April. Benton said he went on the nineteenth; while Raymond stated that he left on the twenty-second, as he understood. Evidently it was well to have it appear that Tyler did not wait to be driven into this action, yet the later Thompson's departure from Washington, the later also would be his return to that point.<sup>7</sup>

But there was another and more striking change of front. Tyler, Upshur and their organs had recommended annexation as a measure calculated to promote the general welfare of the United

<sup>6</sup> Clay to Crit., Dec. 5, 1843; April 21, 1844: *Crit. Pap. Cong. Globe*, 28 Cong., 1 sess., App., 693. Tyler, Tyler, ii., 298. A letter from B. F. Butler to Van Buren, April 29, 1844, (Van B. Pap.) seems to indicate that Jackson was among those who deemed the assent of Mexico essential, but his letter to Moore, June 25, 1844, (*Wash. Globe*, July 20, 1844) expresses the opposite view. He may have been converted by Judge Bibb meanwhile. Pakenham (No. 22, April 14, 1844) wrote: "a great deal is said by the advocates of the measure about granting satisfaction to Mexico, for the sake no doubt of gaining over the votes of those Senators with whom a regard, whether real or pretended, for the rights of Mexico, forms a principal objection to the project." *Nat. Intell.*, May 21, 1844. *Wash. Globe*, May 2, 1844.

<sup>7</sup> Phil. *Ledger*, April 24, 1844. Raymond to Jones, April 24, 1844: Jones, Memor., 343. *Journal Com.*, April 17, 1844. (Benton) *Wash. Globe*, Nov. 6, 1844.

States. A near connection of the President's wrote a little later to Mrs. Tyler that in conversing at this period, the President "constantly dwelt upon the subject as of pervading national importance." Senator Walker, his chief ally, had devoted himself very notably to proving that the North would reap great advantages from this acquisition, should it be made. One would therefore have expected the President to request his new Secretary of State, whatever might be that gentleman's personal inclinations, to adopt the same policy; his biographer states that he did so; and Tyler himself intimated as much three years later. Yet we find Calhoun striking out, during this interval between the signing and the presentation of the treaty, along a widely divergent path.<sup>8</sup>

Near the end of December, 1843, Aberdeen had sent a despatch to Pakenham, in which he said that since no little agitation appeared to have prevailed of late in the United States respecting the supposed designs of Great Britain with reference to Texas, Her Majesty's government deemed it expedient to take measures for stopping at once the misrepresentations which had been circulated and the errors into which the administration of the Union appeared to have fallen in this regard; that England had no selfish interest in that quarter except such as attached to the normal extension of her commercial dealings abroad; that she had urged Mexico to recognize Texas from the belief that such action would benefit both countries; that she desired and was "constantly exerting herself to procure, the general abolition of slavery throughout the world," and wished therefore to see it discarded by Texas; but that she proceeded in the matter only by open means and should not "interfere unduly, or with an improper assumption of authority," in order to ensure the adoption of such a course,—would counsel, but should not "seek to compel, or unduly control, either party." "So far as Great Britain is concerned," His Lordship continued, "provided other States act with equal forbearance, those Governments will be fully at liberty to make their own unfettered arrangements with each other, both in regard to the abolition of slavery and to all other points." England has "no thought or intention of seeking to act directly or indirectly, in a political sense, on the United States through Texas"; and "we shall neither openly nor secretly resort to any measures which can tend to disturb their internal tranquility, or thereby to affect the prosperity of the American Union." Just

<sup>8</sup> Tyler, Tyler, ii., 299, 421, 422, 426.



how Aberdeen reached the conclusion that such a statement would satisfy the American government of British harmlessness, unless on the principle of throwing a bone to a dog, is not easy to see; but he sent it over to Pakenham, and the minister, after a delay which did honor to his good sense, placed a copy of it in Upshur's hands two days before the latter's tragic death.<sup>9</sup>

Calhoun found the despatch on his desk. It required no answer except an acknowledgment, but he proceeded to reply at length, devoting to the task his intellectual lights and his intellectual shadows with impartial zeal. The President, he said, "regards with deep concern the avowal, for the first time made to this Government," that England desires and is laboring for universal emancipation. By so doing, "she makes it the duty of all other countries, whose prosperity or safety may be endangered by her policy, to adopt such measures as they may deem necessary for their protection." With still deeper concern, he continued, the President notes the desire of England to see slavery uprooted in Texas, and the effort which he infers she is exerting through her diplomacy to have this change made "one of the conditions on which Mexico should acknowledge" that country. He has therefore examined the question, and is convinced that it will be difficult for the Texans to resist the desire of England, even if she does no more than Lord Aberdeen suggests, and that consent on their part would endanger the prosperity and safety of the United States. The abolition of slavery in Texas would produce friction between that country and this, and consequently, by compelling her to seek a protector, would place her under the control of England. This would expose our weakest frontier to inroads, and would give Great Britain "the most efficient means" of bringing about in the adjacent States that emancipation of the blacks which she desires to effect everywhere. Against such evils it is the President's duty to provide. Hence an annexation treaty has been negotiated with Texas as "the most effectual, if not the only means of guarding against the threatened danger," and securing the permanent peace and welfare of the United States. Calhoun then proceeded, though Aberdeen's letter gave him no good reason for so doing, to discuss the question of slavery. That institution he defended at considerable length as wise and humane, and therefore one which ought not to be attacked; and he declared it the duty of the federal government of the United

<sup>9</sup> To Pak., No. 9, Dec. 26, 1843: Sen. Doc. 341, 28 Cong., 1 sess., 48. Pak. to Upshur, Feb. 26, 1844: *ib.*

States to protect each member of the Union in whatever policy it might adopt with reference to the matter.<sup>10</sup>

The general impression given by the tone as well as the substance of this communication was, that our Executive desired to annex Texas mainly for the preservation of slavery and the Southern political power based largely upon it, and believed that the country as a whole was bound to take up arms in this cause; and the fact that for such a purpose Texas was to be acquired, appeared to indicate that the President was ready to go beyond our boundaries and incur the risk of a war in furtherance of the object. Such a representation was admirably adapted to cast a dark and sinister hue upon the project of annexation in the mind of every stalwart Northern man, and make the benefits which it had been said to promise that section appear to him like a very dangerous and even dishonest bait. Calhoun's letter seemed to many, therefore, like an effort to intensify sectionalism, repel those Northern votes without which Texas could never become a part of the Union, and promote some deep, ulterior design.

Suspicion regarding the letter was encouraged by its evident artfulness. The fact that the abolition views of the British had now been announced for the first time to the American government, which Calhoun made the basis of his entire paper, was of no significance, for those views had long been known to the world, and indeed had been officially reported by Everett in November; and Calhoun's evident purpose to convey an impression that only now had the United States become aware of them was plainly disingenuous. To intimate that the treaty with Texas had resulted from this announcement was a real misrepresentation, for Upshur had proposed annexation several months before Aberdeen's declaration reached our State department; and the surprise at such a misrepresentation was deepened by the fact that as early as 1836 Calhoun himself had maintained that Texas must be annexed for the sake of the slave States. Then, too, the census reports upon which the Secretary unreservedly based his defense of slavery were pronounced by George Bancroft and by many others "fictitious." It was hard to believe that a paper so far from straightforward had been framed for an honest purpose.<sup>11</sup>

<sup>10</sup> Calhoun to Pak., April 18, 1844: Sen. Doc. 341, 28 Cong., 1 sess., 50. Pak. replied on April 19 (*ib.*), and Calhoun rejoined on April 27 (*ib.*); but these letters added nothing material. Pak. merely acknowledged Calhoun's of April 27. Meaning of C.'s letter; Webster, Writings, iii., 291.

<sup>11</sup> Bancroft to Van B., May 2, 1844: Mass. Hist. Soc. Proc., 3 ser., ii., 425.

Still other facts counted. In the first place, Calhoun offered no explanation of his policy that appeared satisfactory. Indeed the explanation that he did give was not at all credible. He informed Wharton that his letter was intended as the beginning of a long correspondence with England covering her entire course towards the United States regarding slavery, and that he felt disappointed because her minister did not follow up the matter. But Pakenham did reply; and Calhoun's rejoinder, facing towards the past instead of the future, seems designed to clinch what had already been said by him and so close the debate. Moreover how could the Secretary of State suppose for a moment that a foreign official accredited to this government would be so wanting in the sense of propriety and so extremely foolish as to engage in a discussion with him of the delicate and embittered subject of slavery in the United States, about which he could not possibly think himself as well informed as his antagonist, knowing perfectly that defeat in the controversy would disgrace him, while victory might render him *persona non grata* to the American Executive and thus compromise his professional career? It would have been absurd for the head of the cabinet to make a move of such importance, relying for the success of it upon an event so improbable as the British minister's falling into that sort of a trap; and it would have been the more absurd because Pakenham had endeavored, only a few days before, to discourage the Secretary from making any written communication at all to him on the subject. Furthermore, Calhoun's presenting this letter to the Senate before the correspondence had come to an end suggests plainly that it was written for immediate use, and not merely for some eventual effect upon the public opinion of the world; and finally it included weighty matters not germane to such a discussion as he mentioned to Wharton. Jackson explained the puzzle by exclaiming, "How many men of talents want good common sense," and expressed the opinion that the letter, introducing non-pertinent subjects and well calculated to set the eastern States against annexation, was the product of weakness and folly. No doubt there was some basis for this opinion, since evidently Calhoun did not fully anticipate the impression his course was to make. Yet Jackson's explanation does not cover the ground. The Secretary was doubtless unwise sometimes, but he

was not weak. He must have had reasons for his action, and it becomes our duty to look for them.<sup>12</sup>

There was a strong movement in the South at this period which took for its watchword, "Texas or Disunion." James Love of Galveston, viewing the matter dispassionately as an outsider, expressed the opinion to Judge Nicholas of Louisville that annexation could occur only in case of a disruption of the United States, and that slavery could not be saved except by dissolving the Union; and it was natural enough that men in the southern States, heated by controversy and pecuniarily interested to a large extent, should have held equally radical views. Many doubtless reasoned as follows: If Texas is now rejected and falls—as in that case no doubt she will—under the control of England, the extension of our slave territory will be impossible, and the inevitable development of the non-slaveholding section will undeniably give that side of the question a great preponderance. The failure of the annexation project would have been caused by hostility against our peculiar institution; and therefore an increase of the anti-slavery strength would signify an increase of danger to the labor system of the South. Indeed abolition sentiment is evidently growing fast; and some day, should it find in its hands the power to do so, the North would almost certainly hamper and perhaps would undertake to destroy our fundamental institution. In that case the only way to save it would be to leave the Union; and it will be much better—if Texas be rejected and so the intention of the North declared—to go now, while we can add to our new confederacy the vast resources of that republic and, by securing a monopoly of the production of cotton, force England to be our friend, than to wait until Texas shall not only be lost by us but shall come under the control of an anti-slavery nation, and very likely be used by Great Britain as the means of bringing about abolition here in the United States. In such an event we should find ourselves between the upper and the

<sup>12</sup> Calhoun to Wharton, Nov. 20, 1844: Jameson, Calhoun Corr., 629 (see also Id. to Hammond, May 17, 1844: *ib.*, 588). Pak., No. 22, April 14, 1844. Pakenham received the impression that Calhoun desired to have a correspondence with him for the sake of making an advantageous reply (for effect upon the people) to the British objections against the annexation of Texas,—quite a different matter from the design mentioned by Calhoun to Wharton. Jackson to Blair, May 11, 1844: Jackson Pap. W. B. Lewis thought Calhoun's course showed a great want of tact and judgment (to Jackson, April 26, 1844: Jackson Pap., Knoxville Coll.). May 15, 1844, Calhoun wrote a letter declining to defend himself against the charge of injecting slavery into the affair in order to defeat the treaty (*Wash. Globe*, June 5, 1845).

nether millstones,—between an anti-slavery North and an anti-slavery Texas dominated by England. Let us therefore settle the matter now; and if we must go, let us go at once.<sup>13</sup>

Of this movement Calhoun's high-spirited commonwealth was the centre. To our section, declared the *South Carolinian*, the present issue is a question "of absolute self-preservation; so much so, that it were infinitely better for us to abandon the Union than to give up Texas to become a colony of Great Britain." In the course of the spring and the summer of 1844 several counties and districts of the State passed resolutions of the same tenor. At the Fourth of July celebrations a considerable number of the toasts, hailed with repeated cheers, expressed the idea in pointed language. The forty-third regiment declared that it would be for the interest of the southern and southwestern States to "stand out of the Union with Texas" rather than in it without her; and the Charleston *Mercury* affirmed that in the other regiments the feeling on the subject was equally strong. General Hamilton, a well-known citizen, wrote that if Texan slaveholders were not fit for admission into the Union, he and his fellow-citizens were "not fit to be there." Holmes, a prominent Representative in Congress, intimated plainly that he was prepared for a civil war even, and was re-elected without opposition. Another South Carolina member of the House was Rhett. Rhett addressed Calhoun as "my political father." He was connected editorially with the Washington *Spectator*, which was chosen as the "Central Organ of the Calhoun portion of the Democratic party"; and the *Spectator* declared, "In the Union, or out of the Union, Texas shall be ours." Senator McDuffie used more caution; but a speech of his was described by the Richmond *Whig* as an endeavor to show, while pretending to desire the continuance of the Union, that none but slaves could wish it to last for a single moment longer. Pickens inferred from the indications that he favored secession, and Botts of Virginia stated that he had declared on the floor of the Senate for a division of the country.<sup>14</sup>

<sup>13</sup> Love to Nicholas, Feb. 1, 1844: Crit. Pap. "Disunion as a consequence of non-annexation was proclaimed in hundreds of resolutions,"—Benton (Wash. *Globe*, Aug. 28, 1844).

<sup>14</sup> *South Carolinian*: Wash. *Spect.*, April 9, 1844. N. Y. *Express*, June 19, 1844. *Nat. Intell.*, June 20; Aug. 15, 1844. *Southron*, July 24, 1844. *Ga. Chronicle*: *Nat. Intell.*, July 24, 1844. *Mercury*: Savannah *Repub.*, June 14, 1844. (Hamilton) Wash. *Globe*, May 4, 1844. Charleston *Patriot*, July 26, 1844. *Nat. Intell.*, Jan. 15, 1845. Rhett to Calhoun, Dec. 8; [Oct. 7], 1843: Jameson, Calhoun Corr., 898, 885. (Selected) Confidential Circular: Markoe and Maxcy Pap. *Spect.*: Wash. *Globe*, May 16, 1844. (Caution) Wash. *Globe*, Aug. 28, 1844. *Whig*: Balt. *Amer.*, July 1, 1844. Pickens to Calhoun, Nov. 6, 1844: Jameson, Calhoun Corr., 990. (Botts) *Nat. Intell.*, Jan. 15, 1845.

In Georgia the feeling was less pronounced, but it existed. At a Democratic meeting held at the capital in August, 1844, one of the speakers asserted that the party were "determined upon the immediate annexation of Texas regardless of all consequences." A gathering at Eatonton applauded enthusiastically the sentiment that either that country must be acquired or the Union dissolved. Wilson Lumpkin wrote to his "old friend," James K. Polk, that Texas and the slave States must be "one & indivisible." Colquitt, speaking in the national Senate on the subject of annexation, said: "When political martyrdom and sacrifice are the reward" for the fidelity of her champions, "then will the whole South with multiplied wrongs sitting heavy on her heart, take the necessary steps for safety and defence;" and Governor Troup, addressing the people of the State, declared that if the American government failed to confirm the annexation treaty—which on the whole he thought it was better to accept than to occupy Texas by force—the failure would be "virtually an alliance with England in her crusade" against the South,—perhaps the strongest plea for withdrawal that could have been framed.<sup>15</sup>

Lewis, a Representative from Alabama, wrote to Calhoun that should the treaty be rejected, he should "consider the Union at an end," and then went on to say that "the interests and sympathies of a large portion" of the country "must be stronger in favour of an Union with Texas, than with a confederacy, which in the midst of unceasing plunder by Taxation, was waging a relentless war against their Institutions." David Hubbard, a Presidential Elector from the same State, said he was "fully prepared to see this Union rent asunder unless the Northern portion of the Confederacy would consent" to let the South have Texas. A resolution adopted in Lawrence county described the possession of that territory as "infinitely more important" to the slaveholding section than "a longer connexion or friendship with the Northeastern States." The citizens of Russell county passed unanimously a series of resolutions, the preamble of which took the stand that the unwillingness to annex that country "must be principally traced to an innate and uncontrollable hostility to the South and her institutions,—wherefore a Southern Convention should be held"; and the object of the

<sup>15</sup> *Augusta Chronicle*, Aug. 7, 1844. *Savannah Repub.*, June 22, 1844. Lumpkin to Polk, Sept. 23, 1844: Polk Pap. *Cong. Globe*, 28 Cong., 2 sess., App., 256. *Charleston Mercury*, June 21, 1844.

proposal, as explained by a meeting at St. Helena, South Carolina, was to make sure of Texas regardless of the North.<sup>16</sup>

In conservative North Carolina this crusade moved more slowly; yet a convention in Lawrence county adopted the view that annexation was "infinitely more important" to that section than a longer association with the New England States. If we must give up either, said the Resolution, it "shall not be Texas." Likewise in Virginia the Union sentiment, as in 1861, was strong. An examination of the proceedings of thirty-four Democratic meetings and political banquets held during the summer of 1844, reveals a strong wish to acquire Texas yet no disunion language. But the Democratic Legislative Convention, sitting at Richmond early in February, 1845, asserted that the South had a "right to require" the admission of that country "as due to its own protection and the preservation of the Union." The Richmond *Enquirer* said repeatedly that a final defeat of annexation would produce an excitement in the South dangerous to the republic. The *Madisonian*, practically a Virginia paper, took the ground in December, 1843, that the defense of slavery required either secession or the incorporation of Texas. Governor Gilmer implied distinctly in his letter of January, 1843, that only by consenting to the measure of annexation could the free States ensure the continuance of the government; and Judge Upshur, a very prominent son of the Old Dominion, with all the responsibility of premiership in the American cabinet upon him, said in the strictest confidence: "*The salvation of our Union depends on its success*,"—an assurance not at all required by any lack of zeal for annexation on the part of his correspondent, Chargé Murphy.<sup>17</sup>

In the Southwest Jackson boasted that no danger of secession existed. "We in the South & West will attend to the Federal Union, it must be preserved," said the hero of the Nullification episode; but Rhett's paper furnished a comment on this declaration. No call for dissolution has yet been heard in the Southwest, it said, but if the interests of that quarter are sacrificed, the cry will be raised, "In the Union, or out of Union, Texas shall be ours." Senator Walker stated in his famous Letter that unless Texas were

<sup>16</sup> Lewis to Calhoun, March 6, 1844: Jameson, Calhoun Corr., 935. *Southron*, July 24, 1844. *Charleston Mercury*, July 3, 1844.

<sup>17</sup> *Savannah Repub.*, Aug. 6, 1844. *Richmond Enq.*, Feb. 1, 1845, etc. *Madis.*, Dec. 22, 1843. (Convention) *Madis.*, Feb. 28, 1845. *Rich. Enq.*, Jan. 26, 1843. Upshur to [Murphy], private and conf., Jan. 23, 1844: State Dept., Arch. Tex. Leg.

obtained, one of three events was certain to occur, and the first of these was that the South and Southwest would unite with that country. Even in Tennessee a Presidential Elector announced that were trouble over the Texas question to arise, he would be found fighting against the Union. When one considers how small a percentage of the utterances of such a nature is likely to be found by an investigator who can give but a fraction of his labor to that particular line of inquiry, and how many men who shared in the sentiments thought it advisable not to express them at the time, these indications are decidedly significant; and finally Jackson himself wrote that if Texas could not be acquired by negotiation, the people of the Mississippi valley would take it by force,—a proceeding that would have split the Union. “*Mark this,*” he added to show how seriously he believed his prediction; and now one recalls Upshur’s mysterious remark to Murphy that men in Congress, “impatient to move” for the acquisition of Texas, were “with difficulty restrained, in expectation that the object would be effected by negotiation.”<sup>18</sup>

But were not all these intimations, like most of the Massachusetts talk about considering the Union at an end should the obnoxious measure be carried, intended mainly for effect? Such was the opinion of some at the time. It is all for the purpose of intimidation, maintained the Cincinnati *Herald*, an abolition journal; and it seems very possible, indeed probable, that some of it sprang from that motive. But it should be borne in mind that not many years passed before the south did secede, and a terrible war occurred. One would not expect such a movement to come to pass without preliminaries, and the preliminaries are found. In 1850 a newspaper called *The Southern Press* was established at Washington. Its basis was an Address representing 63 Southern members of Congress, who said their section must secure its rights, and should do so “if possible” constitutionally. A disunion convention held at Nashville proposed a sectional Congress. South Carolina and Mississippi passed laws to carry this proposition into effect; and it has been thought that only the coolness of Georgia prevented the execution of the scheme. Georgia herself declared that year in a State convention that she would resist, even to secession, such enactments as the

<sup>18</sup> Jackson to Blair, July 26; Sept. 19, 1844: Jackson *Pap. Spect.*, April 3, 1844. Nash. *Banner*, Aug. 20, 1844. Jackson to W. B. Lewis, Dec. 15, 1843: N. Y. Pub. Lib. (Lenox). Upshur to Murphy, No. 14, Jan. 16, 1844: Sen. Doc. 341, 28 Cong., 1 sess., 43.



abolition of slavery in the District of Columbia or the Territories, or the extinction of the interstate slave trade. After an incubation of two years, a strong movement showed itself in Mississippi in 1851 to have the State pronounce for secession. In 1849 Calhoun, writing to Judge Tarpley of that State, showed plainly that a dissolution of the Union would please him better than "submission" to the adverse policy of the North; and even two years earlier he endeavored to have a Southern convention called for the purpose of excluding Northern vessels from the ports of the South and prohibiting railroad commerce with the offending section,—a practical severing of the very cord which had brought the States together in 1787. In 1847, too, the Virginia legislature declared unanimously that if the national government should pursue an unfriendly policy with reference to slave property in the Territories, it should be "resisted at every hazard." Finding secession at the door so soon in spite of the South's victory in the Texas affair, why should one doubt that it was ready to present itself in 1844, should so vital an issue turn the other way? In June of that year the Mexican minister to the United States felt satisfied that the slave section was determined to get possession of Texas even if the North would not support the step.<sup>19</sup>

In the next place, Calhoun's attitude toward the disunion talk appears to indicate that it was serious. Had it been intended merely for effect, as a counterstroke to the Northern menaces of dissolution, he would probably have thought it a harmless and possibly a useful retort. On the other hand he repressed it,—not as wrong, however, but as premature. Our people are like a "stifed volcano," testified James Gadsden of Charleston, but Calhoun wishes things kept quiet until after the results of the election are known: that is to say, until the country should have rendered its decision concerning the annexation of Texas. McDuffie pursued a similar course. According to the correspondent of the Charleston *Mercury*, he said publicly at Edgefield that he regretted the noise made by Rhett though he approved of his principles most cordially. "She is ready to act," said Calhoun of his fiery State with apparent satisfaction. And there is more than inference regarding Calhoun's real attitude. Annexation, he wrote, is the most important question for the South

<sup>19</sup> *Herald*, July 29, 1844. *So. Press*, June 18, 1850. Alex. Johnston in Lalor's *Cyclop.*, iii., 697, 1116. *Miss. Hist. Soc. Pub.*, iv., 90, 102. Calhoun to Tarpley, July 9, 1849: *South. Hist. Soc. Pub.*, vi., 416. Foote (*Remin.*, 79) says that long before Calhoun died he "ceased to feel the least confidence in the permanency of our Federal Union." *Almonte*, No. 72, priv., June 19, 1844.

"and the Union" ever agitated since the adoption of the constitution.<sup>20</sup>

When it was proposed to have a Southern convention, Richmond was the city first considered as the place of meeting; and then, as the suggestion proved distinctly unacceptable to the Virginians, Nashville was pitched upon. No cordiality was manifested there, however; and Benton was probably right in saying that these successive repulses paralyzed the leaders of the disunion movement for a time. But the very fact that the assembling of such a body was dreaded, is evidence that something serious was believed to be in the wind, for an innocent gathering of notables would undoubtedly have been regarded as complimentary and profitable. This subject, wrote Senator Silas Wright to Van Buren three weeks before Tyler presented the treaty to the Senate, "begins to assume an importance beyond excitement . . . and to point at the Union rather than at the Presidential election"; and a fortnight later he added that he understood the Calhoun clique said the nation could not stand, should the treaty be rejected. Wright belonged of course to the northern wing of the Democratic party, but he was distinguished for judgment and fairness. It was noted, too, at this time that many Southerners, previously much interested in the new tariff bill, cheerfully saw it laid upon the table, as if not anxious to lessen the resentment felt by their section against the North.<sup>21</sup>

Moreover the plan of establishing a new confederacy, to include the slave States and Texas, had long been under consideration. In 1831 the Mexican minister reported from Washington that some public men in the southern part of the United States, feeling they ought not to be united with the North, reasoned that by getting a portion of Mexico they could form a powerful nation. In June, 1836, a public dinner was given to the Sumpter Volunteers, just returned from the Florida campaign, at Swimming Ponds, South Carolina; and the two following toasts were given and drunk with marked approbation: "The Western, South Atlantic States and Texas combined (independent of the Northern States) would form

<sup>20</sup> Gadsden to Jackson, Aug. 1, 1844: Jackson *Pap. Nat. Intell.*, Oct. 3, 1844. Calhoun to Clemson, Dec. 13, 1844: Jameson, Calhoun Corr., 633. Id. to Mrs. Clemson, May 10, 1844: *ib.*, 585. (The context seems to make it clear that Calhoun was thinking of the permanence, not of the greater or less prosperity, of the Union.)

<sup>21</sup> *Niles*, lxxvi., 346, 391, 406. *Balt. Amer.*, July 17, 1844. Benton, *View*, ii., 616. Wright to Van B., April 1, 14, 1844: Van B. *Pap. Wash. Globe*, May 10, 1844. The treaty was rejected and the South made no move; but the circumstances were such as to give hope of an early victory.

the most splendid and flourishing republic the world ever saw"; "The Republic of Texas, the South Atlantic, and Southwestern States—may John C. Calhoun be the first President." The next year the Texan envoy to the United States informed his chief that such a confederacy, taking possession of Mexico, could in his opinion become a very great nation; and a few months later he predicted that should the project of annexation fail, the slave States would secede and "instantly annex themselves to Texas," which clearly implied that such a scheme had been somewhat thoroughly canvassed. In 1841 the New Orleans *Courier* mentioned editorially the plan "to erect a Southern Confederacy of States between the Roanoke and the Rio Del Norte"; and now it was only necessary to take up this long cherished plan and carry it into execution.<sup>22</sup>

Indeed, as facts already made known have prepared us to expect, such a confederation was now distinctly talked of. The Beaufort preamble, according to Rhett's paper, "presented the aspect in which this great question was destined to work on the Southern mind, with power and effect," and what it proposed was to call a Southern convention in case the treaty should be rejected, indicating that union with Texas would be its object. In the middle of April, 1844, the Washington *Globe* argued that should the project of annexation be defeated, the Lone Star republic might form the nucleus of such a confederacy, and charged Calhoun explicitly with entertaining that design. Governor Hammond of South Carolina wrote to the Secretary: "With Texas the slave states would form a territory large enough for a *first rate power* and one that under a free trade system would flourish beyond any on the Globe—immediately and forever. . . . The North and the South cannot exist united"; in reply to which Calhoun said nothing to discourage these views, but a good deal to stimulate them. McDuffie appeared, while professing great solicitude for the adoption of the Texans, to urge them not to accept our overture. "For himself," he said, according to the report of a speech given in the Baltimore *American*, "if he were a citizen of Texas he would not come into the Union at all"; and apparently his aim was to promote the cause of a new nation including Texas but not the free States. Benton and the Bentonites accused their opponents loudly of entertaining this design, and they convinced many. Said the St. Louis *New Era*: "We suspect that

<sup>22</sup> Pizarro to Relac., No. 152, Oct. 17, 1831: Arch. Relac. N. Orl. *Courier*, Aug. 18, 1836; May 18, 1841. Hunt to Hend., No. 1, April 15, 1837; Tex. Dipl. Corr., i., 208. Id. to Irion, No. 24, Aug. 4, 1837: *ib.*, 245.

. . . preparations are making to form a new Southern Confederacy." But perhaps the most striking sign was the fact that Jarnagin of Tennessee made a formal argument in the Senate of the United States against the expediency of breaking up the Union and establishing such a republic.<sup>23</sup>

Another fact was perhaps more than a sign. In September, 1844, Duff Green was appointed American Consul at Galveston. Green was not a genius; but he had cut a rather large figure in American affairs, was a person of activity and had an extensive acquaintance with men and things. No salary attached to this office, and the amount of business done there was insignificant. His official correspondence, filed in the archives of the government, consists of an announcement after a service of three months that he was about to resign, and later an account of the fees received. He was closely united with Calhoun not only by personal friendship but by marriage, a son of one having wedded a daughter of the other. Calhoun was head of the State department when he was appointed; and for some reason this man of affairs and citizen of the world consented to be exiled by his relative and friend to the wilderness of Texas, without the comfort of salary, substantial fees or important official occupation,—with nothing, in short, except a certain stamp of Executive endorsement.<sup>24</sup>

He appeared at the capital of that country early in December, 1844, and addressed himself to the members of Congress and the President. One of his projects was to obtain a charter for the "Del Norte Company", which had in view as part of its mission the conquest and occupation of the Californias and other portions of northern Mexico in behalf of Texas. So much in earnest was he in pursuit of his aims that when President Jones refused to enter

<sup>23</sup> *Spect.*, June 19, 1844. The Beaufort programme was to unite with Texas and leave the North to do as it pleased about remaining in the new Union. See also the *Nat. Intell.*, June 19, 1844. *Globe*, April 15; May 2, 1844. Hammond to Calhoun, May 10, 1844; Jameson, Calhoun Corr., 953. Calhoun to Hammond, May 17, 1844: *ib.*, 588. Blair to Jackson, July 7, 1844; Jackson Pap. *Amer.*: Wash. *Globe*, July 6, 1844. Benton, *View*, ii., 590. *New Era*: *Nat. Intell.*, June 7, 1844. *Cong. Globe*, 28 Cong., 1 sess., App., 682. The Texan authorities understood well the scheme of the new confederacy. May 20, 1838, the Secretary of State, Irion, wrote to the chargé in Europe that the annexation proposition would never be brought up again by that country unless the United States should break apart and an opportunity be thus offered to join the slave States alone (*Tex. Dipl. Corr.*, ii., 860).

<sup>24</sup> Green had been editor of the *U. S. Telegraph* and official printer to Congress (Kendall, *Autobiog.*, 373). Calhoun to Tyler, Feb. 6, 1845: Sen. Doc. 83, 28 Cong., 2 sess. D. Green to State Dept., Jan. 21; Apr. 16, 1845: Letters from Consuls, Galveston, ii. From Oct. 20 to Dec. 31, 1844, the total tonnage with which he had to do was 3,053: *ib.*

into them he threatened to revolutionize the country, and it was intimated both by Jones and the American minister that his designs were somehow connected with annexation. Now it seems hardly probable that such an interest would have been felt by Southern politicians, in extending the area of Texas unless they were determined to get her, whatever might be the attitude of the North in that matter; this extraordinary eagerness to widen her boundaries and in particular to obtain San Francisco harbor, upon which Calhoun was doubtless aware that the United States had fixed their eyes, suggested the plan of establishing a new confederacy, anxious to outdo its rival; and the scheme to absorb other portions of Mexico, which there was good reason to believe the free States would be stubbornly unwilling to annex, points obviously toward the long since proposed method of building up that confederacy, and by no means toward the incorporation of Texas in the existing Union.<sup>25</sup>

Benton, Blair and many others, then, pursuing this line though not acquainted with all of the facts, accused the Secretary of writing to Pakenham for the express purpose of defeating the treaty, rendering secession inevitable, and ensuring the formation of the projected new republic; and Blair informed Jackson that some of the most impartial members of the House of Representatives considered it perfectly evident that Calhoun's friends desired to promote this scheme by causing the failure of the new tariff bill. Even Silas Wright believed that the Secretary's Pakenham letters were designed to prevent Northern men from supporting the treaty. There is, however, an insurmountable objection to this theory. Calhoun's correspondence at the time and various other circumstances that have come to the reader's notice, afford satisfactory evidence that he desired earnestly to carry the measure in the Senate. He even went so far as to discuss the subject with members of the opposite party, and exert himself to prevent the Whig leader from taking a hostile stand.<sup>26</sup>

<sup>25</sup> Don., No. 4, Dec. 5, 1844. Jones to Don., Jan. 4, 1844 [1845]: State Dept., Desps. from Mins., Texas, ii. (Green's operations) Elliot, No. 15, Dec. 10, 1844. Don. to Calhoun, Jan. 27, 1845: Jameson, Calhoun Corr., 1019. D. Green's explanation of the affair (Facts and Suggestions, 85) is vitiated by the fact that he attributes his defeat to action of Elliot's which occurred months later and had no connection with it. It may be objected that Green did not begin his operations until after Polk's election; but (1) his appointment was considerably earlier, (2) Polk's election did not ensure annexation, and (3) he probably began before he knew of that election.

<sup>26</sup> Wash. *Globe*, May 4; Aug. 28, 1844. Blair to Jackson, July 7; May 2, 1844: Jackson Pap. Writing to Van Buren, March 18, 1844, Blair suggested that Calhoun might introduce some treaty features calculated to make it a distinctively

Calhoun wished the United States to continue. This very year he exclaimed to a correspondent: "The charge of being unfriendly to the Union is so utterly unfounded, and so obviously circulated for mere electioneering purposes, that I cannot think it worthy of serious refutation on my part. The whole tenor of my long public life contradicts it;" and almost all concede that in making such statements he was sincere. The sincerity was full, however, of the sophistication and self-deception that belonged to his character. Calhoun loved the Union, but not the Union as it then was, and still less the Union as apparently it was to be. In October, 1844, he declared that no State was more devoted to it than was South Carolina,—“I mean,” he explained, “the Federal Union, as it came from the hands of its framers;” and in a similar way must be understood his own devotion. He desired its continuance, but only on his own terms. As we have observed, he could and did contemplate secession as what he called the “extreme remedy.” Besides, he was more faithful to slavery than to the constitution. Surely language could not be more explicit than this: “We love and cherish the Union; we remember with the kindest feelings our common origin, with pride our common achievements, and fondly anticipate the common greatness and glory that seem to await us: but origin, achievements, and anticipation of common greatness are to us as nothing, compared with this question [of slavery].” Under such circumstances he doubtless wished, as had been his desire in 1835 and was again his desire when David Wilmot offered his proviso, “to *force* the issue on the North,” as he remarked in addressing a member of the Alabama legislature. He hoped and probably felt nearly convinced that the North would yield rather than have the nation break apart. Still, it might not; and in that case action would be necessary. As he said confidentially, he believed that were Texas rejected the South would be “lost, if some prompt and decisive measure” were not adopted. What that action, what that measure would have to be one can easily infer. To Francis Wharton he wrote at this time that now, when the very safety of the slave-holding section was at stake, most of the enlightened portions of the North held back or opposed, which was “not a little ominous to the duration of our system.” It was necessary to prepare for such a contingency, and Southern unity was therefore the first thing to

Southern measure, useful to unite the South upon and to employ four years later (Van B. Pap.). Wright to Van B., May 6, 1844: Van B. Pap. Calhoun, Letter, May 15, 1845: Wash. *Globe*, June 5, 1845.

achieve. Another failure like that of Nullification he did not desire.<sup>27</sup>

Now annexation seemed to him a subject capable not only of rousing the South against the North but of obliterating divisions at home, for he regarded it as "a question of life and death" to that section. In December, 1843, Virgil Maxcy had written to him that the immediate bringing up of the Texas issue might unite the slave States, and later in the month had reported that in Upshur's opinion this was "the only matter that would take sufficient hold of the feelings of the South, to rally it [as a whole] on a southern candidate" for the Presidency; and all Calhoun's friends, added Maxcy, held a similar view. Dixon H. Lewis wrote to Calhoun's disciple, Crallé, that the annexation campaign would "unite the *hitherto divided South*." When the treaty was about to be submitted, the Nashville *Union* expressed the opinion that should it not be ratified at the session of Congress then proceeding, it would become an issue before the country, and that "as soon as the question was made, so soon would the South and West stand united to a man." The idea was natural and was commonly entertained; and apparently, in framing his letter to Pakenham, Calhoun proposed to make use of the subject with this end in view. At the same time he undertook to bring the North to what he considered its constitutional duty by pointing out that the "rights and duties" of the general government, so far as slavery was concerned, were "limited to protecting, under the guarantees of the Constitution, each member of this Union in whatever policy it might adopt," and that abolition in Texas—only to be prevented by annexation—would be a menace to the peculiar institution. At any rate he hoped to secure Northern co-operation by holding up the danger of a British attack on the southwestern frontier, should Texas remain independent and therefore fall under the control of England; and very possibly—since the abolitionists opposed annexation—he believed that he could in this way, to quote Lewis's phraseology, "Make Abolition & Treason synonymous & thus destroy it in the North." In brief, Calhoun thought he now saw how by one magnificent stroke to render the South perfectly secure within the Union, yet at the same time prepare her to withdraw triumphantly from it, should that calculation be disappointed, into a new and more promising connection. Substantially this

<sup>27</sup> Calhoun to Reynolds, Aug. 1, 1844: *Madis.*, Aug. 7, 1844. Id. to Houk, Oct. 14, 1844: Jameson, Calhoun Corr., 624. (Secession) Calhoun, Letter: Von Holst, Calhoun, 303. (Slavery) *ib.*, 131; (issue) 301. (Lost) Id. to Mrs. Clemson, May 10, 1844: Jameson, Calhoun Corr., 585. Id. to Wharton, May 28, 1844: *ib.*, 592.

appears to be one real object of his extraordinary reply to Pakenham.<sup>28</sup>

From the course he pursued there were also further advantages to be derived. The administration, while it seems to have expected and hoped that Van Buren's record would prevent him from opposing the acquisition of Texas, had been troubled of late by a fear that he might come out strongly in favor of that measure and so endeavor to steal Tyler's capital. Blair of the *Washington Globe* stated that he was daily importuned early in April by persons in the confidence of Calhoun to announce the position of his journal on the subject, which—particularly as he was known to have consulted Van Buren—it was supposed by many would represent that leader's view. On the twelfth he was informed that the treaty would go to the Senate the next day, and was advised that his paper should immediately take a stand, so as not to appear subservient to Tyler in case it should support annexation. On the fifteenth a positive assurance was given him that the treaty would be laid before the Senate that very day; and though nothing had in fact been received from Kinderhook, he at once printed the editorial favorable to the project of absorbing Texas. Shortly after this Rives, his partner, heard members of Congress not friendly to Van Buren remark, that something had been or would be appended to the treaty which would prevent Northern men from supporting it. At this time Calhoun's letter to Pakenham had not been published; and Blair seems fully to have believed that it was written in order to prevent Van Buren from declaring for annexation. Indeed, in view of it the New York statesman might well be apprehensive of alienating Northern support should he take that position; and a certain strength is given to Blair's apparently somewhat imaginative and somewhat conceited idea by the fact that as soon as the *Globe* announced its views, the *Madisonian* threatened that it would denounce any attempt of the Locofocos to appropriate the administration measure in order to influence the convention or the voters. In short it may safely be presumed that Calhoun thought of this bearing of his letter as a minor yet important consideration. On the other hand should Van Buren fail to endorse annexation, his nomination or at all events his election would now be prevented

<sup>28</sup> Calhoun to Hammond, May 17, 1844: Jameson, *Calhoun Corr.*, 588. Maxcy to Calhoun, Dec. 3, 1843: *ib.*, 896, 900. Lewis to Crallé, March 19, 1844: Campbell Pap. *Union*, April 6, 1844. Calhoun to Pak., April 18, 1844: Sen. Doc. 341, 28 Cong., 1 sess., 50.



by a solidified South, and Calhoun was determined, as will be seen, that he should not become President. From this point of view it is noticeable that in reply to the *Globe's* charge that the Secretary of State wrote as he did in order to embarrass the New York leader, the *Madisonian* offered but a very ineffective answer.<sup>29</sup>

By making annexation a sectional affair the Whig chief also could be placed in a difficult position. Indeed in the opinion of Clay himself, as he plainly intimated to Captain Elliot, the entire object of bringing up the issue was to disrupt his party, and he regarded Calhoun's letters to Pakenham as a part of the campaign. Nor was the purpose in this regard merely destructive. During the previous December Maxcy had written to Calhoun that should the Texas question be revived and Clay be weakened by this means, a distinctively Southern candidate might obtain enough votes to prevent a popular election, and would then stand with Clay and Van Buren before the House of Representatives, where—it was thought—the influence of the administration, exerting all its power of patronage, might decide the issue. These considerations also lay, no doubt, in Calhoun's mind.<sup>30</sup>

And there were still others, one may believe. Calhoun had retired from the Presidential race of 1844, but had retired unwillingly. In fact his name was not withdrawn by himself, as is commonly said, but by the Central Committee of South Carolina, to whose action he yielded an unavoidable yet reluctant consent. Even if his Presidential aspirations had been struck a staggering blow by this disappointment, they probably had not expired; and the year 1848 lay well in view. If Benton could plan for that, as all believed he was doing, so could others; and Calhoun in particular prided himself on his long range of political vision. At all events he was supposed to be scheming for the next campaign, and in that the support of a solid South would be a most valuable asset. In truth, so would it be in any case. By making himself, then, the acknowledged leader and champion of the united slave States he could gain immensely in power and prestige.<sup>31</sup>

<sup>29</sup> Tyler to Mrs. Jones, April 20, 1844: Probably Clay will oppose annexation; then V. B. "will seek to come in on Texas and my vetoes" (Tyler, Tyler, ii., 307). *Globe*, May 6, 27, 1844. Blair to Jackson, May 2, 1844: Jackson Pap. *Madis.*, April 16; May 20, 1844.

<sup>30</sup> Elliot, July 10, 1844. Maxcy to Calhoun, Dec. 3, 1843: Jameson, Calhoun Corr., 896.

<sup>31</sup> Calhoun to J. E. Calhoun, Feb. 7, 1844: Jameson, Calhoun Corr., 566. (Not expired) Hunt, Calhoun, 278. (Supposed) Preston to Crit., May 4, 1844: Crit. Pap.; Blair to Jackson, Sept. 9, 1844: Jackson Pap.

Finally—and of all the considerations that seem to have been present in Calhoun's mind this is perhaps the most certain—a solidification of the South, such as his Pakenham letter was calculated to produce, would gain the undivided support of that section, he doubtless hoped, for the treaty. In November, 1843, the *Richmond Compiler* remarked that nothing had yet shown that the great majority, still less that all, of the slaveholders favored early annexation; and private letters and the newspapers clearly reveal the truth of this assertion. Clay was probably mistaken in his estimate of the feeling, yet his opinion shows that people were not by any means decidedly pronounced everywhere in the South for the prompt acquisition of Texas; and even the returns of the election the following November proved as much. Now this division of sentiment boded no good to the treaty. On the eighteenth day of April Tyler admitted that the action of the Senate could not be foretold. This probably meant that as matters were shaping themselves, he foresaw defeat. Something positive needed to be done; and on that day the Secretary's first and principal letter to Pakenham was dated.<sup>32</sup>

But why did the President permit so marked a change of front? In answer to this question several reasons present themselves. Calhoun possessed of course the stronger personality; and moreover the Executive, already entirely out with the Whigs and the northern wing of the Democrats, could ill afford to break with that gentleman's following. It is easy to believe that he was influenced by the promised advantages to the cause of annexation and in particular to the cause of the treaty; and there was probably, too, a strong personal argument. Calhoun denied that he had any understanding with him about the Presidency, and one can readily believe that no desire to further his aspirations existed in the Secretary's mind. Tyler, however, could think for himself, and he could readily perceive that a solidification of the slave States would perhaps be greatly to his advantage. Maxcy, in explaining that Upshur thought the Texas issue might rally the South on a sectional candidate, added that Tyler entertained hopes of being the fortunate individual; and after that his chances had theoretically improved not a little, since Calhoun, the only other prominent competitor for the

<sup>32</sup> *Compiler*: Wash. *Globe*, Nov. 24, 1843. Clay to Crit., March 24, 1844: Crit. Pap. Tyler to Jackson, April 18, 1844: Jackson Pap. In this letter Tyler gave reasons why the transmission of the treaty to the Senate was delayed, the first of which was that it was necessary to reply to Pakenham.

honor, had retired from the field. At this very time an influential journal, the *Savannah Republican*, was preparing to say that should the Virginian be run by the South and the New Yorker by the North, the former might receive the support of all the Southern Democrats, and find himself one of three before the House of Representatives.<sup>33</sup>

In the previous August the formation of a Tyler Central Committee had been announced by the *Madisonian*; and precisely now, during the interval between the signing and the transmission of the treaty, this body published an address. The President, it was argued, has tendered "to the South the only security which can be offered against the torch and knife of the fanatic, THE RE-ANNEXATION OF TEXAS, of which his predecessors had suffered us to be despoiled. . . . Do they [the Democrats] not owe it to themselves, to their principles, to the cause of justice, to continue him in a station, the power of which has been employed solely for the glory and welfare of the people, the vindication and re-establishment of the Republican faith?" In this tone could the appeal be urged, should Calhoun's plan bring victory in the Senate.<sup>34</sup>

On the other hand, should the plan work badly so far as the treaty was concerned, it could still be made to count for Tyler. When the prospects grew dark, the editor of the *Madisonian* demanded: If ratification be refused, will the friends of annexation permit England to carry her point? They will have to "rally round the standard of John Tyler or all may be lost." "What power has any other to deal with that question, after the treaty shall have been rejected by the Senate? . . . Who can counteract the movements of other countries upon Texas, but the President? . . . Who can open new negotiations, or in any manner keep the subject before the country?" Finally, Tyler may have been keen enough to perceive that the Pakenham correspondence, if it should stimulate the abolitionists,—which was far more probable than the contrary effect,—would take many more votes from the Whigs than from his own party. A temporary change of front—for which the Secretary would have to bear the main responsibility—seemed, then, a shrewd manoeuvre, and the change was made.<sup>35</sup>

<sup>33</sup> That this change of front was due to Calhoun is shown not only by the circumstances but by the fact that he claimed the credit for it in his speech of Feb. 12, 1847 (Works, iv., 334). Calhoun to Wharton, May 28, 1844; Jameson, Calhoun Corr., 592. Maxcy to Calhoun, Dec. 10, 1843: *ib.*, 900. *Repub.*, May 8, 1844.

<sup>34</sup> *Madis.*, Aug. 2, 1843; April 13, 1844. *Wash. Globe*, May 21, 1844.

<sup>35</sup> *Madis.*, May 14, 20, 1844.

The next day after Calhoun replied to Pakenham Tyler received a "private & confidential" letter from Murphy, in which the chargé, writing immediately after an interview with Houston, said he was informed that the British minister in Mexico was to arrange a "New Policy" with that country, that the affairs of Texas were to have "a conspicuous part" in the scheme, and that as one result of this plan the negotiations which had led to the abortive armistice were to be resumed. Calhoun read the letter, of course. Then he probably reflected contemptuously once more on Tyler's weak and simple-minded programme,—the programme of merely pointing out how the acquisition of Texas would block the designs of Great Britain and promote the general welfare of the country and then expecting the Senators to ratify his treaty in an equally weak and simple-minded fashion; and no doubt he congratulated himself earnestly that at last something effective had been done for the cause of annexation.<sup>86</sup>

At this point let us halt for a moment, and let us recall the three general ways in which Texas has been found a menace to the United States. Had she remained independent and acquired northern Mexico, including California, she would have been a serious rival and probably the cause of numerous complications. Had she remained independent and fallen in line with the designs of England, as apparently she would almost certainly have done, she would not only have exerted in these directions all the power she herself possessed, but would have been supported and guided by a great nation that had aims believed to be inconsistent with the prosperous development of the United States. While, had the project of annexation been definitively rejected by the votes of the North, she would perhaps have caused the dismemberment of the American Union and the formation of a new confederacy, including herself, the southern States and a large portion of Mexico, that might not only have rivalled but have overshadowed the wreck of the old republic.

<sup>86</sup> Murphy to Tyler, April 8, 1844: State Dept., Desps. from Mins., Texas, ii.

## XI

### THE NEGOTIATIONS ARE MADE PUBLIC

ON the twenty-second of April, 1844, John Quincy Adams made this note in his diary: "The treaty for the annexation of Texas to this Union was this day sent in to the Senate; and with it went the freedom of the human race." "Clear the track for Tyler and Texas!" was the outburst of the *Madisonian* on the same date.

The President's Message accompanying the treaty was a dignified paper. In substance he spoke as follows: It is believed that Texas was a part of Louisiana, and therefore belonged at one time to the United States. As a member of the Union, having been settled principally by people from this country, it would be devoted to our system and to our principles of civil liberty. From the agricultural and commercial points of view the territory is of incalculable value. By acquiring it a new impulse would be given to our shipping business, which would be chiefly beneficial to the people of the eastern and middle States. Their carrying trade, thus extended, would become at no distant day greater than could easily be computed, and the expansion of the home markets resulting from annexation would give great opportunities to their skill and industry in mining, manufacturing and the mechanical arts. The West would obtain a great sale for its beef, pork, horses, mules and breadstuffs. The southern States would gain security against domestic and foreign efforts to disturb them, and the Union as a whole would therefore acquire new solidity. But these are secondary considerations. Texas is depressed and is looking for support. Years ago without the exertion of any sinister influence on our part her citizens voted to join us, and such is her will at present. Should we close the door against her, she would seek aid elsewhere, and perhaps in order to obtain it she would establish duties unfavorable to us. The result would be a loss of the carrying trade and the markets, and also—as the consequence of smuggling—a diminution of our revenue. The illicit importation of merchandise would also lead to frequent collisions between the two republics, in which the Indians would be likely to take part. The military forces of the United States would

have to be increased at a heavy expense in order to guard the frontier; and foreign nations, reaping a profit from the unlawful trade, would take the side of Texas in any conflict with us. The United States are already almost surrounded by the possessions of European states, and that country, falling under their control, "would complete the circle."

Texas, continued the President, is independent. We have a perfect right to accept her, and should a threat of foreign interference be made, we ought not to be influenced by it. Both interest and honor forbid; and there is in fact no excuse for such interposition. With equal or even greater propriety might we demand that other nations surrender the acquisitions of territory they have made. Toward Mexico the United States are disposed to pursue a conciliatory course. We are actuated by no "spirit of unjust aggrandizement," but look merely to our own security; and we shall be ready to settle any fair claims on the most liberal terms. Mexico, however, cannot ask us to neglect our vital interests. Though certainly Texas could not be reconquered, we know that she has been exhausted by the long war. We know that other powers have been anxious to bring about a reconciliation between the belligerents on terms that would affect the domestic institutions of Texas, "would operate most injuriously" on those of our own people, and "might most seriously threaten" the very existence of the Union. We know that the principal nation of Europe has openly declared its hostility to the most important feature of our interstate relations, and admitted its purpose to secure the obliteration of it in Texas by means of negotiations between that country and Mexico; and we are perfectly well aware that "formidable associations of persons, the subjects of foreign powers," are "directing their utmost efforts to the accomplishment of this object." Documents laid before the Senate establish all these points.

In brief, then, continued the Message, "the Executive saw Texas in a state of almost hopeless exhaustion, and the question was narrowed down to the simple proposition whether the United States should accept the boon of annexation upon fair and even liberal terms, or, by refusing to do so, force Texas to seek refuge in the arms of some other power, either through a treaty of alliance, offensive and defensive, or the adoption of some other expedient which might virtually make her tributary to such power and dependent upon it for all future time. The Executive has full reason

to believe that such would have been the result without its interposition, and that such will be the result in the event either of unnecessary delay in the ratification or of the rejection of the proposed treaty." No nation would be injured by our acquiring that country, and the resulting development of commerce would make the whole world richer. As for ourselves, the enlargement of our territory would not involve danger. No one would relinquish Oregon, and Texas is immensely nearer,—even "at our very doors."<sup>1</sup>

The treaty itself declared in the preamble that the Texans had expressed by an almost unanimous vote, at the time of adopting their constitution, a desire to be welded into the American Union, and still entertained that desire with similar unanimity; while the United States were actuated in the matter solely by a wish to promote their own security and welfare, and to meet the views of the government and citizens of the sister republic. By the terms of the agreement, Texas made herself over to the United States with her sovereignty and all her public property, and became annexed to this country as a Territory, under the agreement that her citizens should be "incorporated into the Union," maintained and protected in the free enjoyment of their liberty and possessions, and admitted, as soon as should be consistent with the principles of the federal constitution, "to the enjoyment of all the rights, privileges, and immunities of citizens of the United States." Such titles and claims to real estate as were valid under her own laws were to be so regarded by the American courts; and the unsettled land claims were speedily to be adjusted. The United States on their part assumed the public debts and liabilities, estimated not to exceed \$10,000,000, of the republic, against which they were to receive the public lands and about \$350,000 in Texan securities; and provisions were made for carrying out in detail the general agreements of the compact.<sup>2</sup>

Henderson and Van Zandt, in sending the treaty to their government, explained that on the whole it seemed advisable to come into the Union as a Territory,—very likely because that method of approach would make the anti-slavery issue less acute. They conceded that neither boundaries nor the peculiar institution had been mentioned; but they stated that it was impossible to bring them in, and

<sup>1</sup> See General Note, p. 1. Richardson, Messages, iv., 307.

<sup>2</sup> Sen. Doc. 341, 28 Cong., 1 sess., 10.

called attention to the fact that the Texans would be entitled to demand the preservation of all their property as secured to them by their own laws—that is to say, slaves—and eventually to claim admission to the Union as a State. The language of the treaty, they said, had followed as far as possible the phraseology of the Florida and Louisiana agreements in order to gain the advantage of those precedents, and they admitted that concessions had been necessary in order to conciliate the feeling of the Senate. The time allowed for ratification was six months. This, explained the envoys, would make it impossible to put the treaty over until the winter session, as many of the Senators would have been glad to do. A shorter period would have been no less effective, one might say; but possibly, as the New Orleans *Courier* suggested, that stipulation was adopted with a view also to having a protracted educational discussion on the subject in the United States, and so keeping it before the people till it should be understood.<sup>3</sup>

Certain documents accompanied the Message and treaty. Prominent among them of course was Upshur's letter of August 8, which based the desire to annex Texas upon information contained in a private letter from a citizen of Maryland sojourning in London. Murphy's reports of September 23 and 24 were presented, though not entire. The correspondence between Upshur and Everett in the autumn of 1843, in which the Secretary pointed out in great detail the suspected designs of Great Britain, came next in order. The American overture of October 16 was given, and, still more important, Upshur's despatch of January 16, 1844; and Aberdeen's declaration, Calhoun's first letter to Pakenham and the instructions carried to our chargé in Mexico by Thompson concluded the series. In general, the documents appeared to aim primarily to show that annexation was necessary in order to prevent Great Britain from extinguishing slavery in Texas, and from thus endangering the peculiar institution in the United States.

On the whole it must be recognized that they made rather a sorry appearance, as—without the information sent over by Ashbel Smith—was inevitable. The corner-stone of the whole affair was a muddled allegation of British designs contributed by a private and anonymous correspondent of Upshur's. The American proposal of annexation seemed therefore precipitate and uncalled for, and the despatch of January 16 considerably worse. With Calhoun's letter

<sup>3</sup> Hend. and Van Z., April 12, 1844. *Courier*, April 22, 1844.



to Pakenham for a capstone, the edifice had indeed a certain consistency; but it seemed too much the consistency of schemers aiming to prop a baleful institution and secure fresh power for the slave States, not only by taking disputed territory, but by extending to it the system of Congressional representation which galled and scandalized the North. Well informed members of the Senate and House doubtless knew much that was not presented in the documents, but it was easy to see how selfish ends could be promoted by ignoring whatever could not be stated publicly.

Cave Johnson of Tennessee, one of the leaders in the lower branch of Congress, expressed the opinion that while the treaty was well enough in itself, the papers that accompanied it were "horrible—beg[g]ing, entreating, coaxing, threatening; lying as all say here—& placing the ground for annexation on the slavery question." Benton, Van Buren's friend, maintained on the other hand that the treaty, when carefully examined, appeared even more damnable than the correspondence; and Crittenden, the confidant of Clay, rendered this verdict: "Whatever we may think of annexation when properly presented, under the circumstances I think when this Treaty & documents are read & understood there will be felt a general sense of condemnation and shame at the proceedings of our executive Government." In order to hold up the papers to public indignation, Senator Tappan violated the confidence of the august body to which he belonged, and forwarded them to the *New York Evening Post*; and they appeared in the columns of that journal only five days after the Senate had received them. It can hardly be said that such action or such comments indicated a disposition to view the subject in a fair and statesmanlike manner; but the "renegade" Tyler, suspected of trying to blow up with one bomb the two political headmen of the country, should have expected nothing better.<sup>4</sup>

Of course the newspapers were greatly exercised over the Message and its accompanying literature, and the language of the opposition journals can be inferred readily enough from that employed when the negotiations were merely suspected. The *New York Evening Post* described the affair as presenting all the appearances of a "plot." To the *Tribune* of that city it appeared to be an "un-

<sup>4</sup>Johnson to Polk, May 3, 5 (Benton), 1844: Polk Pap. Crit. to Coleman, May 16, 1844: Crit. Pap. *Post*, April 27, 1844. Tappan was severely censured by his colleagues and narrowly escaped expulsion (*Cong. Globe*, 28 Cong., 1 sess., 619; Sen. Ex. Journal, vi., 272, 273).

precedented and unwarrantable outrage," a cheap, selfish speculation growing out of bonds and scrip, and out of land claims which would be "dubloons or dimes" according to the result. The *Baltimore Clipper* declared that it was merely a question whether we should violate a solemn treaty and embark on a career of aggression that would bring us into conflict with other powers. The *National Intelligencer* expressed a similar view, professing to be "amazed" at the opening of negotiations with nothing to base them upon, and assuring the people that four-fifths, if not nine-tenths, of them were opposed to annexation as now presented. The *Globe* urged the view that the purpose of all the correspondence, as well as of Calhoun's letter to Pakenham, was to arouse a fatal opposition in the Senate; while the *Liberator* not only pronounced the treaty "impudent, hypocritical, mendacious, and infernal," but discovered in the accompanying letters "an amount of hypocrisy and villainy, of treachery and oppression, unexampled in the criminal history of any nation, either in ancient or modern times." "Truly, monsters rule over us," was Garrison's conclusion. On the other hand the *Madisonian* retorted by saying: Here we have the British minister, the abolitionists, Benton, Clay, Van Buren and Webster, all agreeing to oppose annexation while differing on everything else; it is another coalition; but four-fifths of each House are firm for the treaty; that agreement will be ratified; and "No Southern or Western Whig will dare risk his presence at home who votes against it"; while the *Boston Post*, a moderate Democratic journal, took the middle ground that the Message and treaty were good, but the correspondence weak; that slavery, a local matter, should not have been dragged in; that England had nothing to do with the affair; and that people should separate the question itself from the manner in which it had been brought up, annexation being desired by a great number of persons and likely to become practicable ere long without war, dishonor or internal strife.<sup>5</sup>

In the information submitted to the Senate there was no reference to the defense of Texas; but the Senators were decidedly in an inquisitive mood, and the *New York Aurora* mentioned that troops had been ordered to the Southwest. This hint was enough;

<sup>5</sup> *Eve. Post*, May 8; *Tribune*, April 29, May 11; *Clipper*, May 7; *Nat. Intell.*, May 16, 20; *Globe*, May 1; *Lib.*, May 3; *Madis.*, May 4; *Post*, May 3, 1844. Tyler denied emphatically that the speculators in Texas securities had any influence on his course or even knew—until a late stage of the negotiations—what he was about; and there seems to be no evidence to the contrary (Tyler, Tyler, ii., 423).

and as soon as the treaty came up for consideration, Crittenden submitted a resolution demanding a full account of all preparations for war, and all movements of military or naval forces "made or ordered" with a view to hostilities, since the negotiations had begun. Here there seemed to be a chance of proving that Texas was not really an independent, self-sustaining power, and also perhaps that the President had been exceeding his constitutional authority.<sup>6</sup>

But Tyler was ready with an answer. In consequence of Mexico's threat, he explained, that the annexation of her ancient province would be equivalent to a declaration of war and the expectation of the Executive that the treaty would speedily be ratified, it had seemed a duty to concentrate vessels and troops in the Southwest by way of precaution. By the treaty, it was added, the United States "acquired a title to Texas" which needed "only the action of the Senate to perfect it"; and therefore "no other Power could be permitted to invade, and, by force of arms, to possess itself of any portion" of her territory pending the deliberations upon the treaty. Annexation, however, concluded the President, would give Mexico no just cause for war, and he did not believe that hostilities would ensue. With the Message were copies of the orders issued to the commanders of the military and naval forces, from which it appeared that General Taylor was not authorized to cross the frontier—even should the danger of a Mexican advance appear to be imminent—without further instructions, and that Commodore Conner, should an armed force threaten Texas during the pendency of the treaty, was to remonstrate with the commanding officer, and assure him that the President would regard invasion under the existing circumstances as "evincing a most unfriendly spirit against the United States," which "in the event of the treaty's ratification, must lead to actual hostilities." Both Taylor and Conner were to transmit to the American government full information regarding any danger that might appear to threaten the neighboring republic; and the Commodore was expressly informed that the purpose was to communicate this information to Congress. In view of these orders McDuffie found no difficulty in maintaining that the Executive, knowing the character of the Mexicans, had only done his precise duty in sending forces to the Southwest with orders to ob-

<sup>6</sup> *Aurora: Nat. Intell.*, May 1, 1844. *Sen. Ex. Journ.*, vi., 274. Crittenden's resolution was offered May 10 and adopted May 13.

serve their proceedings and report these to the President for the information of the legislative branch.<sup>7</sup>

Much more difficult would it have been to explain how the unratified treaty gave the United States a claim of any description to Texas, and how the concurrence of the American Senate could have perfected the title. The corresponding body in the other country would still have had to act, and several further steps—mainly or entirely formal to be sure, yet essential—to be taken, before that consummation would be reached. Substantially of course the President was right. The Texan Congress had recently declared most emphatically for annexation. No one could deny that a ratification of the treaty by the American Senate would be followed in all probability by every needful act on the part of that nation. Its imperilled situation was a powerful assurance of this. Now the law has its fictions,—bold “short cuts” through difficulties to substantial justice,—and perhaps Tyler looked upon the view expounded in his Message as of such a character. But whether it was wise to embarrass a troublesome question by asserting what could be described as palpably contrary to the facts may well be doubted.

Van Buren's champion was no less alert than Clay's. Three days after the treaty came up for consideration, Benton moved to call upon the President for information whether a messenger had been ordered to Mexico for the purpose of obtaining her assent to the treaty; if so, what despatches and instructions had been given to him; and within what time he was expected to return. Archer proposed to add the words, “if not incompatible with the public interest”; but the Senate showed its temper by rejecting the suggested qualification, and Benton's resolution was adopted. Doubtless the intention was to prove that the President did not really consider Texas independent, but he was not so easily to be caught. No messenger has been ordered to Mexico to obtain her assent, he

<sup>7</sup> Sen. Doc. 341, 28 Cong., 1 sess., 74. Jones to Taylor, April 27, 1844; Mason to Conner, April 15, 1844: Sen. Doc. 341, 28 Cong., 1 sess., 76, 78. (McDuffie) *Cong. Globe*, 28 Cong., 1 sess., App., 451. McDuffie, however, represented these forces as sent to protect American citizens, whereas in reality no doubt they went principally in order to defend Texas by the moral effect of their presence. The communication that Commodore Conner was to make to the Mexican commander, it will be noted, would hardly have given the latter any new information. It seems likely that this feature of the instructions was mainly designed for effect upon the Texan authorities, to whom it appears to have been communicated (Murphy to Calhoun, April 29, 1844: State Dept., Arch. Tex. Leg.). The information from Taylor was to be for the benefit of the general-in-chief and “the higher authorities.”

replied, for the Executive does not regard the assent of any third party as necessary; but a despatch, already laid before the Senate, has been forwarded to our representative there, and the purpose of it was "to preserve the peace of the two countries by denying to Mexico all pretext for assuming a belligerent attitude to the United States, as she had threatened to do in the event of the annexation of Texas to the United States." The messenger, he added, was expected back before the fifteenth of June.<sup>8</sup>

The Senate now took an unusual step,—apparently in order to discredit the President and the treaty, and perhaps with a direct look toward the Democratic national convention shortly to assemble. Almost as soon as it was known that the treaty and documents had been printed at New York City, Crittenden had moved that they be made public by the Senate itself; but this motion had dragged along, receiving consideration from time to time, yet not passing. After these Messages came in, however, the proposition, amended by its author so as to include the later papers that have now been mentioned, was adopted,—the extraordinary character of this action being indicated by an express provision that it should not be considered a precedent. In consequence the country was made aware of the President's military and naval orders; and, as was doubtless foreseen by his enemies in the Senate, a great commotion arose. By some it was held that his course amounted to declaring war upon Mexico. The Baltimore *Clipper* insisted that he merited the severest rebuke, if not impeachment; the New York *Tribune* stood firmly for the latter alternative; and Chancellor Kent pronounced it "an imperative duty." The stalwart Boston *Atlas* described the course of the Executive as "presumptuous and high-handed villainy" and "treason"; while the Philadelphia *North American* demanded that the "presumptuous demagogue" should be impeached "instantly." Even as far away as France, the *Revue de Paris* declared it a new principle of international law, that because the United States had proposed annexation, Mexico must not wage war upon her revolted province. Jackson, on the other hand, believed that as soon as the treaty was laid before the Senate, the United States would be bound in honor to defend that country; many agreed with him; and certainly it would have been a most extraordinary and shameful proceeding, had this country drawn upon Texas knowingly the bitterest resentment of a passionate nation by

<sup>8</sup> Sen. Ex. Journ., vi., 276. Sen. Doc. 341, 28 Cong., 1 sess., 82.

obtaining her signature to the treaty, and then left her, without so much as an appearance of protection; to bear the burden and pay the penalty alone. Tyler's action, if illegal at all, was illegal only in the sense that nothing in the constitution bore upon the matter. As the framers of that instrument had not dreamed of such a case, the oracle was silent. Example also was lacking. The duty of the Executive was therefore to create, not follow, a precedent; and the acquiescence of both parties in the course of a President whom neither loved, is proof enough that his action—whether technically authorized or not—was essentially just and wise.<sup>9</sup>

Tyler now sent in a Message that had not been called for. This was intended to support the view expressed in his first communication to the Senate, that probably Texas would be lost—and worse than lost—if not annexed immediately; and it was accompanied with several documents calculated to justify that opinion. One of these, to which the President invited particular attention, was Houston's letter of February 16 to Jackson, which has already been cited. Another was from Jackson himself who, said Tyler, after having an opportunity to confer in the fullest and freest manner with Houston's private secretary, Miller, declared that Texas must be received now or could never be acquired. Most of the other communications were anonymous, but Calhoun vouched for the writers as persons "of high respectability," whose statements were "believed to be fully entitled to credit;" and these documents, like one that had a signature, were calculated to show that a rejection of the treaty would cause Texas to side with England, and to make a free trade arrangement with that country in return for a guaranty of her independence. One of the letters pointed out also that extensive British colonization would follow, presumably with a view to the execution of designs upon California; and the danger of smuggling was repeatedly mentioned. The shame of another rejection would render the people "bitterly hostile" to the United States, it was urged, and British influence would be everywhere dominant. In spite, however, of Calhoun's assurance that all this came from highly trustworthy persons, and the President's remark that in such a case reference must be had to private sources of information, since the Texan government could not be expected under the existing

<sup>9</sup> Sen. Ex. Journ., vi., 264, 267, 268, 270, 277, 281. *Phil. No. Amer.*, May 17, 1844. *Clipper*, May 17, 1844. *Tribune*, May 18, 1844. (Kent) *Niles*, lxvi., 226. Tyler, Tyler, ii., 322. *Atlas*, May 20, 1844, with quotation from *No. Amer. Revue*, Jan. 9, 1845. Jackson to Blair, April 12, 1844: Jackson Pap.

circumstances to announce publicly their ulterior line of policy, the rather small number of these communications, their anonymity, and the ease with which statements of that sort could be manufactured, were their manufacture necessary, rendered the correspondence—except a few of the letters—rather unsatisfactory, no doubt; yet the Senate appears to have dreaded the effect of these documents upon the public, and it adopted the ungenerous policy of attempting to prevent their publication.<sup>10</sup>

Though Tyler had replied to the inquiry about military and naval operations, Benton did not feel satisfied; and after pondering on the Message for a week, he moved to call upon the Executive for full information regarding any engagement between him and the President of Texas with reference to aiding the latter country in the event of her agreeing to annex herself to the United States. This motion was agreed to by the Senate but drew no immediate response from the White House; and on the first day of June Benton himself proceeded to supply the information. Tyler has kept out of sight, he asserted truthfully, that the use of the military and naval forces of the United States was a *sine qua non* insisted upon by Texas before making the treaty; he had no right to expect that agreement to be ratified speedily, since to do so was to prejudge the decision of the Senate; he did not in reality so expect, for he desired no action taken until his messenger should return from Mexico; he had no ground for saying that only the concurrence of the Senate was necessary to give the United States a sound title to Texas; in short, the army and navy were loaned to Houston because there was no other way to obtain the Texas bombshell for the Baltimore convention, and blow up the other Presidential candidates. At this point the orator was interrupted by a Message from the President in response to his resolution. "Enough," he exclaimed after listening to that and the accompanying documents; "Enough, I say no more. The devil is now pulled from under the blanket." For at last, by what Benton described as "a perfect tooth-pulling business," the negotiations between Jones and Murphy, Calhoun,

<sup>10</sup> Richardson, Messages, iv., 318. The Message was dated May 16. Documents and Calhoun to Tyler, May 16, 1844; *Madis.*, July 17, 1844. The Senate's "injunction of secrecy" was not removed from these papers until June 12, two days after Tyler had sent them to the House of Representatives. Tyler said he had "strong reasons to believe" that the Texan government had given instructions to propose to England, on the failure of the annexation treaty, a commercial treaty and an offensive and defensive alliance. These documents are referred to in at least one history as accompanying the treaty, which is not quite correct.

Van Zandt and Henderson regarding the protection of Texas had been extorted. Benton was perhaps not aware how strongly Tyler had wished to conclude the negotiations months earlier. Very possibly he did not know that when the promise to defend Texas was given, a speedy ratification of the treaty was desired and probably was expected by the President. Perhaps he did not observe how far Nelson's despatch to Murphy and Calhoun's pledge to the Texan envoys fell short of Houston's demand; and he neither saw nor cared to see the justice of the pledge actually given by the Executive or the propriety of any action that might result from it. In short, as was usual in the Texas affair, his address was the clever stump speech of a partisan and imperfectly informed orator, occupying a position where a statesman should have been.<sup>11</sup>

On the fifth of June came another Message that had not been called for. In itself it was of no importance, but it covered a despatch from Everett describing a conversation that had occurred in the House of Lords about the middle of May. Brougham had said at this time that his colloquy with Aberdeen in the same high place during the preceding August had not been intended to counsel any interference with slavery as it existed in the United States, to which Aberdeen had replied in a "very reserved" manner that the proposed annexation of Texas raised an unexampled question, which would receive the earliest and most serious attention of the British government; that he hoped and believed the treaty would not be ratified; but that he could not speak with confidence on such a point. This report Everett supplemented by mentioning that the London *Times* of the morning after had contained a hostile and acrimonious deliverance on the subject. From all these facts Tyler doubtless intended to have it inferred that Great Britain was greatly disturbed over the prospect of the annexation of Texas, because that step would upset her plans.<sup>12</sup>

The Senate had thus obtained from the Executive a large amount of information besides that originally vouchsafed by him; but on one matter it was unsuccessful. Benton felt sure that Duff Green counted for much in the affair, and in particular that he was the author of the anonymous letter used by Upshur in his despatch of

<sup>11</sup> Sen. Ex. Journ., vi., 291. Benton's motion was offered and adopted on May 22. He forgot or did not know that the despatch of the messenger was no part of Tyler's original design. (June 1) *Cong. Globe*, 28 Cong., 1 sess., App., 497. Richardson, Messages, iv., 321. Benton, St. Louis speech: Wash. *Globe*, Nov. 6, 1844.

<sup>12</sup> Everett, May 18, 1844: Sen. Doc. 367, 28 Cong., 1 sess., 1.



August 8; and he was determined to "smoke him out." For nearly four weeks he kept at this task but without success. It was only learned that the files of the State department contained no such document as that from which Upshur made his citation, no evidence that it had ever reposed there, and no data indicating the name of the writer; that apparently it was a private letter; and that probably it was lying now among the other personal papers of the late Secretary.<sup>13</sup>

<sup>13</sup> Sen. Ex. Journ., vi., 276, 294, 310. Richardson, Messages, iv., 322. Sen. Ex. Journ., vi., 289, 290, 264, 312. Certain other Messages were sent in by the President in response to calls by the Senate: *e. g.*, April 26 (the boundaries of Texas; April 29 and May 1 (conclusion of the Calhoun-Pakenham corr.); May 3 (previous corr. with the U. S. agents in Mexico and Texas with reference to the relations between those countries); May 17 (the alleged armistice between Mexico and Texas); May 23 (expenses incurred for sending military and naval forces to the vicinity of Texas). May 18 Benton asked that the injunction of secrecy be removed from his own speech on the treaty as far as delivered. Two days later this measure was adopted with reference to all speeches on the subject as soon as made and to all resolutions; and, when the treaty had been voted upon, publicity was given—as Allen had tried five weeks earlier to have it given—to the proceedings of the Senate in the matter. The whole subject was then openly before the country.

## XII

### THE ANNEXATION QUESTION IS THROWN INTO POLITICS

IN the Whig party there was but one voice regarding their Presidential candidate for the campaign of 1844: the eloquent, the winning, the imperious Henry Clay must be their standard-bearer. Very different was the situation of the Democrats. They had been greatly surprised as well as greatly chagrined by the election of 1840; they could not view it as the sober decision of the people; and they were eager to try the issue again. Almost immediately after Harrison's victory preparations for the next campaign had begun; and Van Buren had very soon, though informally, been set up as the candidate. During the three years that followed, conventions in twenty-four of the twenty-six States pronounced for him; and more than three-quarters of them instructed the delegations to vote that way at the coming national convention of the party. This apparent unanimity, however, was far from being real.<sup>1</sup>

Tyler, finding that even the Massachusetts Whigs were against him despite Webster's great influence, turned necessarily towards the Democrats for support in conducting the government, as we have seen; but the Northern wing of that party, often termed Locofocos, feared that his return to it would injure Van Buren's prospects, and showed a particular coolness toward him. Moreover, as a dyed-in-the-wool State-rights man, upholder of slavery and foe of the tariff, he stood naturally opposed to the New York leader; and the bitter opposition of the *Washington Globe*, which had been keenly felt by him, was doubtless charged, like Benton's unfriendly course, to an influence from that direction. For these and perhaps for some other reasons, the head of the government felt decidedly opposed to the ex-President, and Governor Letcher assured Crittenden that he was "as deadly hostile to Van Buren as any man could be."<sup>2</sup>

This meant, according to close though prejudiced observers that the appointing power of the Executive was used to injure him. So the *Washington Globe* complained. Cave Johnson, a rather fair-minded Representative, declared that the whole patronage of the

<sup>1</sup> See General Note, p. 1. Stanwood, *Presidency*, 206.

<sup>2</sup> (Locofocos) Tyler, Tyler, ii., 303. Letcher to Crit., Jan. 6, 1844: Crit. Pap.

government was being thrown in favor of annexation and against Van Buren. Senator Silas Wright believed that the process had begun as far back as the last session of the twenty-seventh Congress, and had been diligently and shrewdly continued through all grades of the public service, until the smaller men took courage from the example of greater ones in yielding to this influence, and all became bold against the Locofoco chief. Blair wrote to Jackson that the Executive had promised everything in his efforts to prevent the ex-President's nomination; and after making all allowances for the bias of these witnesses it is impossible not to believe—especially in view of Tyler's obvious motives for doing as they charged—that much alleged by them was true.<sup>3</sup>

Calhoun had reasons no less powerful than his for working in the same line, and a temper far more aggressive and determined. He, too, believed in State-rights and slavery, and he hated the tariff with a bitterness of which Tyler was incapable. The Locofocos he looked upon as worse than Whigs, and he wrote in December, 1843, that he considered them more hostile to his faction than to the opposite party. To increase the strength of these convictions, a long-standing feud existed between him and the New York statesman. He had suspected Van Buren of causing the fatal enmity of Jackson against him for the purpose of supplanting him in the President's favor; and in return he had cast the deciding vote in the negative when the nomination of his fortunate rival as minister to England came before the Senate. As early as December, 1842, Dixon H. Lewis wrote that Van Buren's partisans, beginning to fear and hate Calhoun, were straining every nerve against him. The object of this unfriendly notice was well aware of their opposition, and admitted that he reciprocated it with vigor. Near the close of 1843 he declared that his section of the country had nothing to hope from the New Yorker; and he maintained that "a run between Mr. Clay and Mr. V. B., on the issue which would be made up between them, would utterly demoralize the South, to be followed by the final loss of the good old State rights doctrines." An added reason for taking this position was the intense personal antagonism between himself and Benton, for it was felt that the ambitious Missouriian would receive a large portion of the benefit, should Van Buren become President again; and so bitter was the feeling between

<sup>3</sup> *Globe*, May 6, 1844. Johnson to Polk, May 5, 1844: Polk Pap. Wright to Van B., May 6, 1844: Van B. Pap. Blair to Jackson, May 19, 1844: Jackson Pap.

these rivals that in the opinion of Cave Johnson and many others it nearly produced a split in the party. Calhoun even determined not to recognize the Democratic national convention of 1844. His excuse for so doing was, that as the delegates were elected by State conventions, which consisted in many cases—particularly at the North—of the representatives of a few political leaders, they could not be expected to express the will of the people; but his real reason for taking this stand was probably not so much devotion to the abstract principles of pure democracy as a much more practical consideration. The method of constituting the convention insisted on by Van Buren's friends, he wrote to McDuffie, was intended to give and would give the control of both convention and government to the central States. He was thus at swords' points with the former President and his supporters all along the line.<sup>4</sup>

Besides Tyler and Calhoun, Cass, R. M. Johnson and—up to a certain stage—Buchanan were Presidential aspirants, and as such had a keen eye upon the leading candidate. Benton has given us a highly effective picture of a secret committee toiling at Washington by day and still more after dark to undermine the accepted chief of their party. Great allowances must of course be made for his imagination and his prejudices; but undoubtedly there was considerable basis for the representation. Each of the aspirants labored in his own interest, but all labored against Van Buren. As early as May, 1843, Clay compared the process then going on in the Democratic party with that which had prevented his own nomination in 1840. All the other candidates, he said, were "pushing" against the man who seemed to block their way; and he suspected already that Van Buren's only chance of success would lie in the difficulty of agreeing upon any one else. Even then, he found, Calhoun men in the South and Southwest were avowing that they would vote for the Whig candidate rather than for him; and all through the winter of 1843-44, Cave Johnson reported, the friends of the South Carolinian toiled "like moles" to prevent the approaching convention from uniting upon his New York rival. Moreover the competitors not only worked singly for this common end, but worked in concert. No later than October, 1843, Niles wrote that Tyler's friends were deliberately co-operating with those of Calhoun, Cass and Johnson

<sup>4</sup> Calhoun to Armistead, Dec. 23, 1843: Jameson, Calhoun Corr., 557. (Suspected, etc.) Young, Amer. Statesman, 539, 553. Lewis to Crallé, Dec. 28, 1842: Campbell Pap. Calhoun to Wharton, May 28, 1844: Jameson, Calhoun Corr., 592. Id. to Hunter, Dec. 22, 1843: *ib.*, 555. Johnson to Polk, May 5, 8, 1844: Polk Pap. Calhoun to McDuffie, Dec. 4, 1843: Jameson, Calhoun Corr., 552.

"in their efforts to save the country from the countless evils of a restoration," and he stated with great satisfaction, "We are rapidly bringing public opinion here [in New York] to see the folly of attempting to run Mr. Van Buren."<sup>5</sup>

The main thing alleged against the ex-President was that he could not be elected. For instance a correspondent of W. B. Lewis, after surveying the situation in Pennsylvania for a month and a half, wrote that he was "doomed to inevitable defeat" in that quarter. On this point his enemies never wearied of enlarging. In 1840, it was urged, he had opposed a Whig party that had become rather out of tune in consequence of Clay's failure to obtain the nomination, and had had on his side all the influence and prestige of the government, whereas now these conditions would be reversed. Experienced politicians might understand the temporary causes that had produced the upheaval of that year, and they had formed certain associations, direct and indirect, with the former head of the government which influenced them; but the rank and file were not so much affected by these considerations, and they did not relish the idea of following a beaten leader. Governor Letcher, for example, wrote that while Van Buren was the choice of the party leaders in Kentucky, he would never regain his original strength anywhere in the West. The real managers, whatever their personal preferences, could not fail to see this condition of things; and besides, as Alexander Johnston has pointed out, the defeat of 1840 led them to prefer as a settled policy that minor figures, rather than their foremost men, should be nominated for the Presidency. Such a feeling, as far as it now existed, counted of course against Van Buren.<sup>6</sup>

There were other arguments, too. His partisans were charged with desiring to monopolize the offices. R. M. T. Hunter complained in December, 1843, that they had the Speaker, the clerk, the printer and even the doorkeeper of the House of Representatives. They were also accused, and justly so, of an overbearing attitude. Amos Kendall, whose political judgment was certainly of value, wrote later to Jackson that Van Buren was defeated by a combination of the smaller interests; that his friends, instead of treat-

<sup>5</sup> Tyler, Tyler, ii., 303. Benton, View, ii., 584-585. Clay to Clayton, May 27, 1843: Clayton Pap. Johnson to Polk, May 3, 1844: Polk Pap. Niles to Markoe, Oct. 28, 1843: Markoe and Maxcy Pap.

<sup>6</sup> Reynolds to Lewis, April 24, 1844: Jackson Pap., Knoxville Coll. *Madis.*, Dec. 19, 1843. Letcher to Webster, Feb. 13, 1843: Webster Pap. Lator's Cyclop., i., 777.

ing these with courtesy and forbearance, had pursued the opposite policy; and that his enemies, though not strong enough to accomplish very much individually, had been able "through numberless channels" to weaken him, and create "extensive distrust in reference to his political strength," whereas a mild course, particularly towards Calhoun and Tyler, would have rendered the mischief-makers powerless. Justice Catron of the Supreme Court declared that most of the party loathed the brutal assaults made by the *Globe* upon the other factions during the winter of 1843. Benton was so haughty, supercilious and morose at times that even his friends hesitated to approach him. Under such circumstances men were glad to take up very weak pretexts against that side. For instance, the New York Assembly passed resolutions unfavorable to slavery; and as Van Buren happened to be in Albany at the time, it was immediately charged by the *Madisonian* that he was in league with the abolitionists.<sup>7</sup>

Another point also, a very important one, has to be considered. There were many ambitious young men among the Democrats, and they wanted their chance. Duff Green voiced their sentiments when he insisted that the old party leaders must be thrown overboard. In June, 1844, Catron stated that for two sessions the Democrats in the House of Representatives had ardently and almost unanimously desired to clear the quarter-deck in such a manner. According to Buchanan this feeling thoroughly pervaded the Democratic ranks. Van Buren does not own the party, why should he strive to maintain a hold upon it forever? demanded the *Madisonian*; why not permit the Democrats "to enjoy the novelty, the freshness, the enthusiasm of a new leader?" A plea like this could not be loudly proclaimed in public, but it counted powerfully; and all the other arguments that could be employed, there is good reason to believe, were studiously used as well. According to the *Globe* a systematic plan was adopted of sending letters throughout the country to stir up opposition, for the express purpose of having that opposition make itself felt at Washington on Congressmen who were to be members of the nominating convention; and nothing improbable can be seen in the allegation. Putting all these influences together, one realizes that their force was immense. Penn, editor of the *St. Louis Reporter*, concluded while at the capital during the winter that

<sup>7</sup> Hunter to Calhoun, Dec. 19, 1843: Jameson, Calhoun Corr., 906. Kendall to Jackson, Aug. 28, 1844: Jackson Pap. Catron to Polk, June 8, [1844]: Polk Pap. Johnson to Id., April 28; May 5, 1844: *ib.* *Madis.*, March 21, 1844.

Van Buren would have to be dropped; and the same causes must have produced the same effect in many other cases.<sup>8</sup>

Henry Clay watched the emergence of the annexation issue with very close attention. Believing, as we have observed, that Tyler's object in bringing up the question was to disrupt the Whig party, he was very much on his guard. His letter to Crittenden written early in December, 1843, shows how carefully he had already studied the matter. Later he made a journey through the South; and at New Orleans he learned about the middle of February that negotiations had been opened with Texas, and that a treaty was likely to be the result soon. No doubt he talked on the subject with many of his political friends in that section; and partly perhaps because they looked upon him as committed to the cause of Texas by his previous efforts to acquire the territory and thought it unnecessary to express any urgency, and partly, one may presume, because many of the southern Whigs—particularly in Louisiana—opposed or at any rate did not strongly favor annexation, he concluded that the Texas feeling in that quarter had been exaggerated. Near the end of March he wrote from Savannah: "There is no such anxiety for the annexation here at the South as you might have been disposed to imagine." Undoubtedly he was asking himself all the while how to shape the matter so that the party could stand together. In all probability, also, the course of a rival made some action upon his part seem highly desirable. Webster, he must have had some inkling, had been stirring up sentiment against annexation all the way from the office of the *National Intelligencer* to his own chambers in Boston; and in all probability he thought, as others were saying, that the New England statesman was actuated in so doing by a desire to win the party's nomination for the Presidency. He knew, too, that should the nomination be given to himself there was still an election to consider, and that a great number of Whigs in the North had shown themselves intensely hostile to the incorporation of Texas. Putting together, then, the indifference which he thought he discovered at the South, the inevitable opposition at the North, Webster's apparent aim and Tyler's imputed purpose, and adding to all these considerations opinions of his own regarding the expediency

<sup>8</sup> Green to Crallé, Dec. 30, 1843: *South. Hist. Ass. Pub.*, vii., 419. Catron to Polk, June 8, [1844]: *Polk Pap.* Buchanan to Polk, Nov. 4, 1844: *Polk Pap.*, Chicago. *Madis.*, Dec. 19, 1843. *Wash. Globe*, May 6, 1844. The nominating convention was largely composed of members of Congress. Penn to Jackson, Sept. 10, 1844: *Jackson Pap.* Jackson (to Blair, May 11, 1844: *ib.*) said that, but for Van B.'s position regarding Texas, no one else would have been thought of by the Democrats for the Presidency, but this was plainly incorrect.

of the measure, he made up his mind what position to take; and at Raleigh, North Carolina, on the seventeenth of April, he put his hand to a statement upon the subject, forwarding it at once to Crittenden for publication. Two days later he wrote from Petersburg that he felt "perfectly confident in the ground" therein taken, and could not "consent to suppress or unnecessarily delay" the appearance of his letter. Two days more, and he sent word from Norfolk that his declaration must be issued at once. "I am perfectly sure," he added, "that the degree of favor which prevails at the South towards annexation is far less than is believed at Washington;" and then he gave a particular reason for urgency. Van Buren, he said, is against the measure, so that we stand on common ground, "and his present attitude renders it necessary that I should break silence"; if he then comes out on the other side, "so much the worse for him." In this way he believed the matter would be entirely disposed of, deeming the interest in the Presidential question so strong that Texas could not get much notice.<sup>9</sup>

At Washington, meanwhile, when it had become known that a letter from Henry Clay on the deep and burning subject might soon appear, his deliverance, as a correspondent of the *Richmond Enquirer* phrased it, was "anticipated with all the eagerness with which the children of Israel awaited the coming of a Messiah"; and at length on the morning of April 27 the *National Intelligencer* issued his communication. In substance it ran as follows: I did not think it proper to introduce a new and exciting question in the present campaign. At New Orleans I heard that the government had made overtures for the annexation of Texas, and that between thirty-five and forty-two senators were said to be ready to sanction a treaty, and I knew that the holders of and speculators in Texan lands and scrip were active in that cause; but I did not believe that the Executive would move without any general public expression in favor of the plan, and even against vigorous manifestations of the people's desire. He has done so, however, and therefore I feel bound to speak.

By the treaty of 1803, continued Clay, the United States obtained a title covering all the territory to the Rio Grande; but in 1819 we gave up the region beyond the Sabine. In the House of Representatives I expressed the opinion that by this agreement we sacrificed

<sup>9</sup> Elliot, priv., July 10, 1844. Clay to Critt., Dec. 5, 1843; Critt. Pap. Id. to Id., Feb. 15; March 24; April 17, 19, 21, 1844; ib. On the effect of Webster's course: *Madis.*, April 27, 1844.



Texas for the sake of Florida; but the treaty was ratified, and at present it is idle, if not dishonorable, to lay claim to what we surrendered. Our recognition of Texas did not affect her relations to the mother-country, and the latter still asserts her ownership of the territory. Consequently, "annexation and war with Mexico are identical." Now a conflict with that republic for an extension of area would be discreditable to us, and her privateers and alliances might do us great harm. We are already looked upon abroad as ambitious and encroaching, and France or England might be ready to help check us. Moreover it is not certain that the treaty-making power has authority to plunge us into war; and what is more, even should Mexico assent to our acquiring Texas, a large portion of the American people would be unwilling to do so, and that fact of itself should settle the matter. Far better can we exert ourselves to promote the harmony and welfare of the population we now have.

To demand annexation as a means of balancing the two sections of the United States is extremely dangerous, for the same principle might be urged tomorrow as an argument for the acquisition of Canada, and the world would see in it the proclamation of "an insatiable thirst" for what is not ours. It would also tend toward a dissolution of the Union, for the part now weakest would find itself growing still weaker in comparison. Nor would annexation strengthen slavery. The territory it is proposed to gain would make five States, and only two of those would be adapted to negro labor, since the western and northern portions are merely fit for grazing. If we do absorb Texas we must necessarily, whatever the treaty stipulates, become responsible for her debt, which I understand is at least \$13,000,000. No doubt, should any European nation try to get possession of that country, the United States ought to oppose its design even to the extent of declaring war; but it remains for the President, if he is aware of such aims, to make them known. So far as Great Britain is concerned, she has formally disavowed the intention to interfere, and says that she desires our neighbor to remain independent. In short, "I consider the annexation of Texas, at this time, without the assent of Mexico, as a measure compromising the national character; involving us certainly in war with Mexico, probably with other foreign Powers; dangerous to the integrity of the Union; inexpedient in the present financial condition of the country; and not called for by any general expression of public opinion."

This letter was distinctly opposed to immediate annexation, and therefore could not fail to be denounced. Clay was charged with sacrificing the interests of the South to gain votes in the opposite quarter. He was attacked for apparently going back on his past as regarded the acquisition of Texas. He was accused of pro-British sentiment, a partiality for Mexico and a fear of European arms; and any one could see that from these points of view his position appeared rather weak, and was not likely to suit the popular taste. But Henry Clay was a privileged character, said the correspondent of the *Philadelphia Ledger*. He was a Southern man, too, and therefore his attitude could be the more easily pardoned by those whom it was likely to offend. Besides, he arrived in Washington just before his letter appeared, and there he stood at the centre of political radiation with all his commanding presence, all his gift of persuasion and all his extraordinary personal magnetism, to meet and quench opposition.<sup>10</sup>

Van Buren also had been studying the new issue. In fact it had been forced upon his attention. Repeated warnings had come to his ear that he must speak out and speak for Texas. In October, 1843, a correspondent expressed the opinion to him that the Calhounites were intending to make a profit out of that question. In March, 1844, Blair sent him a copy of Jackson's famous letter to Brown, informed him that Tyler had made a treaty with a view to its influence in the Presidential contest, and pointed out that Jackson's opinion would have "mighty weight" with the party; and George Bancroft wrote that the current of Democratic opinion was favorable to annexation. During April several very pointed admonitions arrived at Kinderhook, and he was told plainly by influential persons at Washington and elsewhere that the annexation issue was to be used against him at Baltimore. Cave Johnson went so far as to assure him that no person opposed to the acquisition of Texas could get votes in the South for any office connected with the execution of the treaty, and expressed the belief that this question would override all others. However strongly Van Buren had relied upon the endorsements of the State conventions, he was fully sagacious enough to see that here was a new factor which made his grip on the party uncertain.<sup>11</sup>

<sup>10</sup> *Richmond Enq.*, May 7, 1844. *Madis.*, April 29, 1844. *Nat. Intell.*, April 27, 1844. *Rich. Enq.*: *Madis.*, May 1, 1844. *Curtis*, Webster, ii., 242. *Ledger*, April 29, 30, 1844. *J. Q. Adams*, *Memoirs*, xii., 19.

<sup>11</sup> Roane to Van B., Oct. 17, 1843; Van B. Pap. Blair to Van B., March 18, 1844; *ib.* Bancroft to *Id.*, March 28, 1844; *Mass. Hist. Soc. Proceeds.*, 3 ser.,

He decided to speak out, and the *Washington Globe* printed his letter in the evening of the same day on which Clay's appeared. It was a very long document and extremely involved in style; but the main points of it can be summarized within tolerable limits. First, said he, I hold that the treaty-making power may acquire foreign territory, for precedents and the acquiescence of the people have so decided; and Congress has authority to admit new States from such territory, since the language of the constitution is explicit, and a proposition to limit this authority to the area within the original limits of the United States was rejected by the convention of 1787. The question of expediency, however, is another affair. When I was President the subject came up, the administration decided adversely, its attitude proved satisfactory to the people, and both Houses of Congress laid the matter on the table. Our recognition of Texas had no bearing upon her relations to Mexico. We merely recognized the *de facto* government, as was necessary in order to have diplomatic or commercial dealings with that country; and her revolutionary war still continues. Mexico has declared that our incorporation of her former province would be regarded as a hostile act. It is not expedient to incur the evils of a war and all the possible entanglements with European powers for the sake of acquiring that territory, and—what is far more important—honor requires us to remain neutral. Time and circumstances might obviate the necessity of formal recognition by Mexico, but as yet they have not done so. I do not believe that if we fail to receive Texas now, her people will sell their liberties to a European power; nor do I believe that a European power which had not already resolved upon war with the United States would try to make her virtually its colony. Should such a thing be attempted, we could rightfully adopt measures for our defence. Indeed, were the alternative that our neighbor should become a British dependency, the American people would be substantially a unit for taking her. A precipitate incorporation of that country, therefore, must be regarded as both unnecessary and inexpedient. It is, however, my view that "the present condition of the relations between Mexico and Texas may

ii., 421. Quinn to Id., April 9, 1844: Van B. Pap. Tucker to Id., April 12, 1844: ib. Selden to Id., April 13, 1844: ib. Johnson to Id., April 13, 20, 1844: ib. The Van B. papers include other warnings also, from Oct., 1843, on. It hardly seems correct to say that Van B. felt so confident of winning the nomination that he did not hesitate to speak out; and the extreme carefulness with which he wrote shows that he realized the danger.

soon be so far changed as to weaken, and perhaps obviate entirely, the objections against the immediate annexation of the latter to the United States, which I have here set forth, and to place the question on different grounds. . . . Mexico may carry her persistence in refusing to acknowledge the independence of Texas, and in destructive but fruitless efforts to re-conquer that State, so far as to produce, in connection with other circumstances, a decided conviction on the part of a majority of the people of the United States, that the permanent welfare, if not absolute safety of all, makes it necessary that the proposed annexation should be effected, be the consequences what they may." Were a move for annexation to be inaugurated under such circumstances, I should be guided by the will of the people as expressed in Congress, a "large portion" of the Senate and all the Representatives having been chosen after the question had been brought before the people for mature consideration.<sup>12</sup>

The original draft of this paper—full of interlineations and erasures—proves that its wording had been very carefully studied. Its tone was statesmanlike, and in fairness one must suppose that in part it sprang from principle and a sense of duty. On the other hand it cannot be doubted that its author had in full view the Northern opposition to the Texas project. Jackson felt sure that expediency had been at the bottom of his mind, and that his muse had been Thomas H. Benton. In the opinion of the British minister the real purpose was merely to postpone the matter. The Baltimore *American* like many other papers declared that the writer said to the North, I always have been and still am opposed to annexation; and to the South, This plan of Tyler's is undigested and inexpedient and I am against it, but if I become President and the people really desire Texas, the matter can be arranged. The *United States Gazette* compared the letter to certain street signs that bore various readings according to the point of view, but all for the benefit of the advertiser. This was harsh; and probably the circumlocutions of the writer—which made it very difficult for plain men to be sure they understood him, and therefore gave a certain impression of an unmanly fear of consequences and a design to conceal his real opinions—were in large part at least caused by a

<sup>12</sup> Van B. sent the letter (in reply to one from Hammett) to Silas Wright, who read it and then submitted it to Benton and other friends. All approved of it, and it was put in type without delay (Wright to Van B., April 29, 1844: Van B. Pap.).

desire to treat a very difficult subject with prudent guardedness. The *American's* digest seems fairly near the truth; and a position of readiness to carry out the deliberately expressed will of the nation, even against a personal preference, was one becoming to the chief magistrate of a free people. Certainly Van Buren took no positive stand against annexation; and the *Globe* declared in view of his letter that while he refused to support the treaty, since that would mean war, his plan ensured the acquisition of Texas within two years. The moderate friends of the cause had therefore little to complain of; the eager friends, while they might think the letter cool, could hardly blame a Presidential candidate for reserve or for wishing to defer so great a step until a majority of the people should evidently desire it; and the reasonable enemies could not deny that the deliberate will of the nation ought to be obeyed by its Executive. In a word, said Amos Kendall, those who censured the paper could not exactly say why.<sup>13</sup>

This fact, however, did not prevent the censure. Naturally all who were passionately bent upon the immediate acquisition of Texas—particularly those expecting financial profits from it—objected to the dangers and uncertainties of delay; and of course, as Cave Johnson observed, the letter was promptly found of assistance by Van Buren's political opponents. Every covert enemy of yours is coming out, Kendall reported to him within two days. All the Presidential aspirants laid on the shelf by the Locofoco statesman, said the *Advocate* of Charlottesville, Virginia, hope now to reach the White House on the Texas hobby. The House of Representatives was soon too hot for comfort; and after eight days had passed Silas Wright described the state of things at Washington as so bad it could not have been worse. Some were eager to destroy Van Buren, some to push themselves ahead of him, some to do both. The letter, said Calhoun, has "completely prostrated him" and brought forward a host of candidates in his place; while the Southern men, as was natural, abused him without stint, and showed more openly and more positively than before their determination to drop him. Probably, as Wright explained, there was a deliberate scheme to create an excitement about the paper before it could be read and understood. Somewhat by design, therefore, and somewhat from causes beyond their control, the Democratic politicians seemed

<sup>13</sup> (Draft) Van B. Pap. Jackson to Blair, June 7, 25, 1844: Jackson Pap. Pak., No. 36, April 28, 1844. *Amer.*, May 2, 1844. *Gazette: Nat. Intell.*, May 8, 1844. *Globe*, May 6, 1844. Kendall to Van B., April 29, 1844: Van B. Pap.

almost beside themselves. "They are all going mad, and are setting all others mad," exclaimed the New York *Herald*. Passion rules the hour, reported Kendall. "The Seething of the Caldron," was the *National Intelligencer's* heading of an article on the situation, published the seventh of May.<sup>14</sup>

In the midst of the storm B. F. Butler of New York set out for the Hermitage. The Philadelphia *Ledger* announced that his mission was to bring Jackson round to Van Buren's position on the great subject; and about the middle of May the Old Hero addressed a communication to the Nashville *Union*. This, however, said much for annexation and little for the ex-President. His letter, Jackson explained, was quite sound on the basis of circumstances as they had existed at the close of his administration; but this excuse amounted to the damaging charge that he had not kept up with the times. Moreover, in an indirect way it injured him still more seriously. Van Buren's popularity in the South—such as he had enjoyed there—had mainly been due to the understanding that Jackson backed him, and now the effect of his unpalatable views was powerfully reinforced by this unmistakable evidence that a radical divergence of opinion on a vital issue existed between them. Nor did it appear that Van Buren's arguments, any more than Clay's, were to exert any great influence on public opinion. The simultaneousness of their letters and the similarity of their views readily prompted the insinuation that they had written by a pre-concerted arrangement for the purpose of eliminating an ugly subject from the impending canvass. They "run and hunt in couples," exclaimed the *Madisonian*; and whatever be thought of this accusation, it is clear that they fared alike in the poor success of the chase. At Harrodsburg, Kentucky, a large meeting of both parties, which had the two letters before it, pronounced almost solidly for annexation.<sup>15</sup>

The national convention of the Whig party met at Baltimore on the first day of May. The delegates went unitedly to their task, and quickly they performed it. Henry Clay was unanimously nominated

<sup>14</sup> Johnson to Polk, April 28, 1844: Polk Pap. Kendall to Van B. April 29, 1844: Van B. Pap. *Advocate: Nat. Intell.*, May 23, 1844. Wright to Van B., May 6, 1844: Van B. Pap. Calhoun to Mrs. Clemson, May 10, 1844: Jameson, Calhoun Corr., 585. W. Smith to Polk, April 29, 1844: Polk Pap. *Ledger*, May 1, 1844. *Herald*, May 18, 1844. Kendall to Van B., May 13, 1844: Van B. Pap.

<sup>15</sup> *Ledger*, May 2, 1844. Jackson to Nash. *Union*, May 13, 1844: Van B. Pap. *Madis.*, April 29, 1844. (Harrodsburg) Kendall to Van B., May 13, 1844: Van B. Pap.

for the Presidency, and in accordance with his wish—not to say order—no declaration at all was made regarding Texas. Annexation sentiment there must have been; but it was not powerful enough to override loyalty to the chief and the desire for Whig harmony; and a Texan official present on the occasion cried out bitterly, that in all the immense concourse of people “not *one*” person would raise his voice for that country. Indeed, by nominating the author of the Raleigh letter the delegates gave a kind of party sanction to its views.<sup>16</sup>

May 27 a Tyler convention met in the same city. The President had done everything in his power, it would seem, to obtain the Democratic nomination. A week before, the *Madisonian* had conjured the Texas men among the delegates to “pause.” Only Tyler can deal with the annexation question if the treaty is rejected, it urged once more, and “is it not too much to ask of any man that he shall incur the greatest responsibilities for the benefit of some other?” In the next issue it declared that he alone could save the party, and two days later an urgent final appeal was uttered. But all this was in vain. The state of public sentiment was indicated by the action of a meeting held in the very city of Baltimore less than a week before the assembling of the convention. Friends of the President had originated the gathering. It was intended as a demonstration in his favor; resolutions endorsing him had been drawn; yet his partisans were not allowed to offer the resolutions, and everything like Tylerism was rigidly excluded. It became very clear that nothing could be expected of the Democrats’ convention, and so the *Madisonian* admitted a few days later.<sup>17</sup>

Full preparations, however, had been made for this contingency. Soon after the letters of Clay and Van Buren appeared, the Tyler Central Committee addressed a call to those who would listen: “We appeal then to the true friends of the United States, of Texas, and of Mexico, to rally. We recommend to them at once to come—come one, come all—from all parts of the nation—North, South, East and West—come up to Baltimore on the 27th inst.; there, in the Monumental city—high as the statue of Washington stands, to erect the liberty pole of American freedom and independence, and from its pinnacle unfurl the banner of our country, inscribed with the motto

<sup>16</sup> It is worthy of remark that the Whig convention said nothing about a national bank, for opposing which Tyler had been read out of the party. W. J. Brown to Van B., April 29, 1844: Van B. Pap. Yoakum, Texas, ii., 430.

<sup>17</sup> *Madis.*, May 20, 21, 23, 27, 1844. *Balt. Clipper*, May 27, 1844.

of 'TYLER AND TEXAS' ! ! !" Later the President explained that as he could not accept the risk of Van Buren's nomination and the consequent failure of his great project, he called a convention of his own so as to leave to the Democrats merely an option between a Texas man and defeat,—in other words, forced them to see that unless they should nominate an annexationist, enough partisans of that cause would vote for Tyler to ensure the defeat of their candidate; but one cannot doubt that he had hopes of either compelling the Democrats to make him their choice or gaining enough support to become one of three in the House of Representatives.<sup>18</sup>

By his reckoning a thousand delegates, representing every State in the Union, answered the call of his committee, while according to others there were some two hundred on the floor. At all events there was no lack of harmony or of enthusiasm. At the top of the hall two banners were displayed. One bore the words, "Tyler and Texas"; the other "Re-Annexation of Texas,—Postponement is Rejection"; and in the spirit of these mottoes the convention soon did its work. With no less alacrity Tyler accepted its invitation. "I do not feel myself at liberty," he said in his letter, "to decline the nomination tendered me under such circumstances. There is much in the present condition of the country which would forbid my doing so. My name has been inseparably connected with the great question of the annexation of Texas to the Union. In originating and concluding that negotiation, I had anticipated the cordial co-operation of two gentlemen, both of whom were most prominent in the public mind as candidates for the Presidency. That co-operation would have been attended with the immediate withdrawal of my name from the question of the succession." But now I am attacked for my action regarding Texas, and annexation is "sternly" opposed by the very men whose support I had expected. For these reasons "I can waive no responsibility."<sup>19</sup>

On the same day as Tyler's convention the Democratic host assembled at Baltimore, but a long battle instead of a brief love-feast lay before it. Van Buren was strong there of course, because so large a number of the delegates had been instructed to vote for him, but that argument was met in two ways: by saying that his delegates had been chosen in such a manner that they did not represent the

<sup>18</sup> *Madis.*, May 6, 1844. Tyler to Wise (no date): Tyler, Tyler, ii., 317.

<sup>19</sup> Tyler, Tyler, ii., 317. *N. Y. Evening Post*, June 1, 1844. (Tyler's letter) *Nat. Intell.*, May 31, 1844. Tyler stated that Calhoun had nothing to do with his convention (Tyler, Tyler, ii., 414).



people; and by insisting that since their instructions had been given, the situation had been radically changed by the publication of his letter. The first of these replies must have fallen on many deaf ears, however just it may have been, for the gentlemen could hardly be expected to undermine their own position; but the second, whether sound or not, could be made to appear plausible, and in particular could be accepted as conclusive by men who desired for some other reason to break away. New instructions, formal or informal, had been given in some instances; and any one who chose could assert that his own constituents, were they to assemble now, would lay upon him different commands.<sup>20</sup>

From another point of view, also, Van Buren was strong. Butler wrote to Jackson that should the New York leader be rejected, no new man could carry a single northern State; so that it would ensure the election of Clay to put up another candidate, and with Clay the South would have a national bank, besides many other things it abominated, with no Texas; whereas Van Buren, should he be made President, would both effect annexation and avert the threatened ills. In reply to this view it was urged, no doubt, that the nomination of Van Buren would certainly be followed by the appearance of a Southern candidate and the disruption of the party; and the Northerners were asked whether they cared to accept that responsibility, and what their favorite would gain. The attitude of the Tyler men, too, probably injured Van Buren, for they appeared to wish that he should be nominated; and it was inferred that they desired a chance to run their man against him, on a platform of "Tyler and Texas," in the expectation of capturing the South.<sup>21</sup>

The preliminary yet decisive battle was fought on the question of adopting the rule of earlier conventions that a two-thirds vote, and not a bare majority, should be requisite for a choice. Here again lay a convenient opportunity for those who desired Van Buren's defeat to oppose him without appearing openly to be his enemies, while his friends dared not confess weakness by shrinking from a principle which had previously been used in his favor, and his out-and-out opponents threatened flatly to secede should the precedents be ignored. A vote of 148 to 118 adopted the rule, nearly all of the Southern delegates voting for it and nearly all

<sup>20</sup> (New) Stanwood, *Presidency*, 211.

<sup>21</sup> Butler to Jackson, May 10, 1844: Jackson Pap. (So. Cand.) Lewis to Jackson, May 22, 1844: Jackson Pap., Knoxville Coll. Johnson to Polk, May 8, 12, 27, 1844: Polk Pap.

from the other section against it. On the first ballot for a candidate Van Buren had a majority of twenty-six, but not the required two-thirds. Of 105 Southerners only twelve stood by him, while out of 151 northerners only seventeen failed to do so. Then his strength gradually declined, until on the seventh ballot he had but 99 out of the 266 delegates, while Cass rose from 83 to 123. Cass, however, it was felt by many, could not possibly be elected. In particular, said one of Polk's chief supporters, the Van Buren men were determined not to have him; and therefore a dire prospect seemed to await the party. As an earnest of it, reported the same delegate, the convention itself "well-nigh got into a general pell-mell fight."<sup>22</sup>

But meanwhile Gideon J. Pillow had been at work day and night, and others had assisted him. While Van Buren, like the proverbial great tree with a hollow trunk, had an imposing appearance of strength without the reality, James K. Polk, almost unthought of as a Presidential candidate, possessed many elements of a "dark horse." He had been Governor of Tennessee in 1839, but had since been defeated twice as a candidate for that office; and he now limited his aspirations to the Vice-Presidency. The party leaders had been very much afraid that should he gain some national success, he would wish to "set up for chief"; but all winter Justice Catron had been working for him at Washington, traversing the city night after night, and pledging himself "to the contrary of this opinion." Polk had written a letter pronouncing for the immediate acquisition of Texas under its peculiarly captivating aspect of "re-annexation." He was a Southern man, and his canvass for the Vice-Presidency had shown great strength in the South and Southwest. To those sections Pillow turned, but he took pains at the same time not to offend the Van Buren men, who were full of resentment against all the principal aspirants because the friends of these rival candidates had defeated their favorite by combining for the two-thirds rule; and the mood of the ex-President's partisans not only disposed them to look with favor on the inoffensive and conciliatory Polk, but aided him immensely by rendering the selection of a new man as the standard-bearer practically unavoidable. To point out the logic of the situation, Cave Johnson had repeatedly

<sup>22</sup> Stanwood, *Presidency*, 212. Blaine, *Twenty Years*, i., 32. (Threatened) G. Bancroft to Van B., May 24, 1844: *Mass. Hist. Soc. Proc.*, 3 ser., ii., 430. (Cass) Schouler, *U. S.*, iv., 468, note. (Van B. men) Pillow to Polk, May 28, 1844: Polk Pap.

argued since the publication of Van Buren's letter that perhaps, as the Calhounites were much concerned over the possibility that he might be nominated after all, the Locofocos had better save their party and their principles by accepting a compromise candidate. Finally—to bring the matter to the point of crystallization—Pillow discovered before the convention opened that Polk's friends were quite willing to support him for the higher office, came to the conclusion that he should be the compromise candidate, and perceived that the move in this direction must appear to come from the North. He then studied zealously how to make the best use of the circumstances; and at length, working almost all night in the midst of the crisis, he found an opportunity to strike, as he said, a fatal though secret blow.<sup>23</sup>

Precisely what this was he did not explain in his report; but another of Polk's friends gave a more definite account of himself. R. M. Johnson's delegates and the doubtful men were ready to join Cass on the next ballot. This would have made his vote 157, only 21 short of the required number, and after that it would have seemed factious to resist. The idea then "flashed" into the mind of George Bancroft,—so he informed Polk without mentioning whether or no the flash came from Pillow's direction,—of rallying upon the ex-Governor of Tennessee. He suggested this to Carroll of New Hampshire, and found him cordially sympathetic. Governor Hubbard of the same State concurred heartily, and so that delegation was fixed. Next Bancroft opened the matter to Governor Morton, a leading Massachusetts member, and he also agreed to the plan. Pillow and A. J. Donelson, Jackson's nephew and former secretary, were then consulted; and they said that if New England would lead off, a number of southern States would follow; so with fresh cheer Polk's friends worked on. When the Granite State was called in the next ballot, her vote went that way; and this example was followed by Tennessee, Alabama, seven of the Massachusetts men and certain others. The consequence was that Cass fell off instead of gaining, and the "dark horse," with a vote of 44, appeared at last in the running.<sup>24</sup>

<sup>23</sup> Pillow to Polk May 25, 1844: Polk Pap. (Defeated) Garrison, Extension, 131. Johnson to Polk, Dec. 30, 1843: Polk Pap. Catron to Id., June 8, [1844]: ib. Polk to Chase and Heaton, April, [1844]: ib. *Nat. Intell.*, Nov. 22, 1844. Johnson to Polk, May 8, 1844: Polk Pap. Pillow to Id., May 28, 30, 1844: ib.

<sup>24</sup> Bancroft to Polk, July 6, 1844: Bancroft Pap. In McMaster, U. S., vii., 354, is given information written by Bancroft in 1887, which differs somewhat from this account, but of course the preference belongs to the contemporary

Naturally much depended upon the men from New York. Donelson had brought a letter addressed by his uncle to B. F. Butler, chairman of that delegation, in which Jackson said:

"You might as well, it appears to me, attempt to turn the current of the Mississippi as to turn the democracy from the annexation of Texas to the United States. Had Mr. V. B. & Benton taken a view of the population of Texas, where from, and the places of the birth of the Texan prisoner[s] at perote in Mexico, the[y] might have judged of the feelings of the south & west. If they had taken into view the exposed situation of New Orleans, with Texas in the hands of Great Britain, added to the danger of British influence upon our Western Indians, on the event of war, & the *dreadful scenes* apprehended from a servile war, with the Indians combined upon our south & west, the feelings of the west might have been well judged upon this subject."

I have it from the highest authority in Texas, continued Jackson, that if her offer is now rejected she is lost to us forever; and why should we hesitate to annex that country, when we negotiated with Mexico without the consent of Spain for the purchase of it? This was effective, and it was clinched by a most appealing personal touch: I am so feeble, said the Old Hero, that I can scarcely wield the pen. In the next ballot, when New York was reached Butler asked leave to retire for consultation; and one can scarcely doubt that this epistle was read aloud in the committee-room and deeply pondered. There was also present the consideration that evidently Van Buren could not be nominated by a united Democracy, that a break in the party would almost certainly mean his defeat, and that by taking a stand for some new man he and his friends could not only prevent his enemies from dictating the candidate, but retain a large measure of influence. At all events, on returning to the convention hall Butler withdrew Van Buren's name, reading a letter from Kinderhook, written before the assembling of the delegates, which authorized this move to be made if it would conduce to harmony. Then ensued a stampede. Delegation after delegation changed its vote, and Polk was given a unanimous nomination.<sup>25</sup>

In view of all these circumstances, it seems clearly an error to letter. Bancroft added in 1887 that he labored with the N. Y. delegates, which it is easy to believe, and intimated that he was the first to bring the idea of nominating Polk for President before the delegation from Tenn., which seems highly improbable. That his memory was not perfect after the lapse of forty-three years is far from surprising. Stanwood, *Presidency*, 213.

<sup>25</sup> Jackson to Butler, May 14, 1844: Van B. Pap. A considerable number of delegates had asked to be passed over when called upon to vote and now came out for Polk: McMaster, vii., 354.

hold that Van Buren was defeated and Polk accepted merely or even mainly because the former opposed, and the latter favored, the immediate acquisition of Texas. Pillow himself explained the matter far more truly. I held you up, he reported, as the "Olive Branch of peace," and all parties ran to you as to "*an ark of safety.*" Polk was selected because, aspiring only to the second place, he had been able to win support without exciting enmity; because he was not Van Buren nor allied with Benton, and therefore the Calhounites did not object to him; because he was on good terms with the Locofocos, and therefore the Northerners were willing to give him their votes; because he was a friend of Texas, and therefore the annexationists felt satisfied; because it was believed he could be elected; and because, as he was a new man, all thought they would get a fair chance at the spoils, whereas each of the other candidates had his group of retainers, among whom the fruits of victory would be divided. Under these circumstances it was possible to unite upon him. Besides, his case had been most adroitly managed, while the other side had grossly blundered; and finally, as Catron wrote exultantly to him, "Mr. Van Buren was out of luck—we again have it." The annexation matter, though more convenient than anything else as a handle, was only one of the factors.<sup>26</sup>

It even seems clear that the cry for Texas had been made so prominent, after the publication of Van Buren's letter, mainly as a pretext. The circumstances already mentioned in connection with the appearance of that paper suggest this opinion distinctly, and many other facts tend strongly to confirm it. As early as December, 1843, Cave Johnson had predicted that the Texas and the tariff issues would be used against Van Buren if possible. Benton and the *Globe* maintained persistently that such was the game. Their chief journalistic opponent, the *National Intelligencer*, declared in a thoughtful article upon the proceedings at Baltimore that the annexation question was used there as a mere device to beat the ex-President. The *Baltimore American*, a sober and well informed paper, concurred in that view. Journals farther from the

<sup>26</sup> Pillow to Polk, May 29, 1844: Polk Pap., Chicago. Benton, View, ii., 594. (New man) Byrdsall to Calhoun, Aug. 25, 1844: Jameson, Calhoun Corr., 965. (Spoils) *Nat. Intell.*, Nov. 22, 1844. Van Buren's prospects were greatly injured by the defection of Ritchie (Richmond *Enq.*), probably the leading editor of the party. As one consequence of the election of Polk, Ritchie and Heiss (of the *Nashville Union*) became the printers of Congress. Ritchie could easily foresee that should Van B. be elected, Blair and Rives would probably continue to hold that lucrative appointment (see Mackenzie, Van B., 292). This is a single illustration. Catron to Polk, June 8, [1844]: Polk Pap.

scene of strife and looking upon events with more coolness perhaps, like the *Detroit Advertiser*, expressed the same opinion. Silas Wright, a man of excellent judgment and fully informed, believed that the Texas matter was "a mere pretense" for setting aside one whom it was desired to overthrow. Amos Kendall informed Jackson that Van Buren's course regarding annexation only "furnished an opportunity to give him a finishing blow"; and Pillow wrote in the thick of it at Washington, two days before the convention opened, that the annexation measure had been used, by men who cared little about Texas, to kill the New York leader and to kill Benton as the heir apparent. Shortly before the delegates met, a compromise plan by which Wright—who concurred entirely with Van Buren on the subject—was to be the Presidential candidate, received considerable favor. Nor should it be forgotten that many joined heartily in accepting Polk who certainly had not committed themselves to the project of immediate annexation nor even—in all probability—studied the subject.<sup>27</sup>

No doubt the delegates went wild over the nominee; but this was due to their intense anxiety regarding the situation and the tremendous excitement of the struggle. Francis Wharton explained the matter clearly to Calhoun, when he said that at first the convention was delighted with the result, not because Polk was nominated, but "that any nomination was made at all." It was overjoyed to find that party chaos and party destruction had been averted; and at Washington, a little out of the whirl, when the news arrived by wire, it was received with "speechless amazement." So it was received in many other places. And yet even Silas Wright desired to have the world understand that Van Buren had been defeated because of his expressions on the Texas question. The refusal of the South to support him, he explained, should its true reasons become public at the North, would be so damaging to harmony and the party prospects, that it was necessary to offer some excuse which would not appear so much like treacherous defection, and therefore would cause less resentment. It was also important that such a view prevail in order to ensure for the ticket what Catron

<sup>27</sup> Johnson to Polk, Dec. 30, 1843: Polk Pap. *Nat. Intell.*, May 7; Nov. 22, 1844. Benton to Van Antwerp: *Nat. Intell.*, July 1, 1844. *Globe*, *passim*. Balt. *Amer.*: *Savannah Repub.*, June 5, 1844. *Adv.*, May 15, 1844. Wright to Polk, June 2, 1844: Polk Pap. Kendall to Jackson, Aug. 28, 1844: Jackson Pap. Pillow to Polk, May 25, 1844: Polk Pap. (Concurred) Wright to Polk, June 2, 1844: *ib.* (Compromise plan) Johnson to Polk, May 25, 1844: *ib.* No doubt Van B.'s letter was most genuinely offensive to many in the South: *e. g.*, Turner *Essays*, 218.

termed the "vast & controlling power" of the Calhoun faction in the slave States; and thus the policy of Van Buren's friends joined hands with the policy of his enemies to obscure the truth of the matter.<sup>28</sup>

This view is confirmed to a certain extent by the action of the convention regarding the Vice-Presidency. After pretending to reject Van Buren because of his Texas opinions, the delegates nominated Wright for the second office by an almost unanimous vote. Wright's prompt declination of the honor was partly due, it must be supposed, to a sense of personal loyalty to his defeated friend; but privately he gave as the reason for his course the opinion that his presence on the ticket would have proved the falsity of the theory that Van Buren had been rejected on account of his position regarding annexation; and this of itself is a sufficient reply, if we are told that his nomination did not discredit in any way the assumed annexation zeal of the majority,—since as a matter of fact he was actually put up. After he declined, the convention chose Dallas in his place. Dallas was certainly for annexation, and no doubt his views on that subject pleased many of the delegates; but he came from Pennsylvania, a State that it was highly important to secure, and McIlvaine, a Pennsylvanian, asserted on the floor of the House of Representatives later that he was nominated on account of his supposed local influence.<sup>29</sup>

It may be argued, however, that the convention adopted a plank strongly favorable to annexation; and this it did adopt in the following terms:

"Resolved, that our title to the whole of the territory of Oregon is clear and unquestionable; that no portion of the same ought to be ceded to England or any other power; and that the re-occupation of Oregon and the re-annexation of Texas at the earliest practicable period are great American measures, which this convention recommends to the cordial support of the Democracy of the Union."

<sup>28</sup> Wharton to Calhoun, May 31, 1844: Jameson, Calhoun Corr., 962. *Nat. Intell.*, May 30, 1844. The *Democratic Review* (June, 1844) threatened that should Van B. be defeated at Baltimore, the northern wing of the party would abjure all connection with the southern. Wright to Polk, June 2, 1844: Polk Pap. Catron to Polk, June 8, [1844]: ib.

<sup>29</sup> The qualification "to a certain extent" is used because, as Von Holst argues (*U. S.*, ii., 671), the Vice-Presidency was considered unimportant and Wright's views were thought likely to help the ticket in New York; but if prompt annexation was so conspicuously a Democratic measure that Van B.'s opposition to it disqualified him for the ticket, Wright also was a heretic and therefore unfit to represent the party as candidate for the second place in the nation. Wright to Polk, June 2, 1844: Polk Pap. Stanwood, *Presidency*, 214. *Cong. Globe*, 28 Cong., 2 sess., 190.

But the Baltimore convention felt no more compunction than other such bodies have felt about professing what it did not believe. Another resolution of the platform asserted that the delegates came together "in a spirit of concord." There were grounds enough aside from zeal for the pronouncement regarding Texas. For a variety of reasons Polk had been nominated, and Polk had committed himself to that cause. Jackson, the idol of the party, was ardent for immediate annexation. The fact that coolness on the subject had been made the excuse for discarding Van Buren, drove the party logically to the position announced. It was highly desirable to "head off" Tyler and bring his followers to the Democratic standard, and Texas was the rallying-cry to which they had been trained to respond. All had to admit that a very large portion of the party were zealously and insistently for prompt annexation. It was clear that the arguments in favor of the measure had already considerable influence in the country, and were admirably suited to catch the masses; and it was doubtless observed that the Whigs, by their silence as a party and through the utterances of their chief, had rendered it possible to make this promising issue a Democratic asset.<sup>80</sup>

There were also inducements of other kinds. The convention coupled Texas with Oregon, and this suggests that the resolution was carried by a combination of forces. In February the Washington correspondent of the New York *Herald* had written: The West is determined to get Oregon and the South to get Texas; neither can succeed alone; "Now, then, suppose they harmonise—vulgatim, log-roll?" According to the New York *Tribune*, the idea was taken up and the Calhounites enforced this ultimatum: No Texas, no Oregon. This assertion, of course, was journalistic, —more or less correct; but the probability and the assertion accord so well with the language of the plank, that one believes almost inevitably it was largely true. Finally, Pillow stated to Polk that the Northern delegates conceded the point regarding Texas because they were alarmed by the clamor of the South. So then we have the genesis of this declaration: The South demanded it; the North acquiesced in order to preserve harmony; the West concurred to get support for Oregon; and all recognized certain strong reasons for adopting such a position. In conclusion, it should be observed that the plank declared only for annexation "at the earliest practicable

<sup>80</sup> (Resolution) Stanwood, Presidency, 215.



period." Between this and "immediate" annexation there might seem to exist only a distinction; but so loud and urgent was the demand of many in the convention for instant action, that the adoption of a phraseology implying some deliberation, some delay, really signified much more than it said.<sup>31</sup>

It is thus fairly evident how one of the great parties came to present itself in the campaign of 1844 with a candidate outspoken for the immediate acquisition of Texas and a platform calling for the acquisition of that country at the earliest practicable period, though the genuine strength of sentiment in that sense was far less controlling than would be inferred from the action of its national delegates, and indeed was perhaps not very much greater than among the representatives of the opposing party, which took no stand at all upon the subject. In other words, annexation became an issue between Whigs and Democrats (so far as it did become an issue) in consequence of circumstances rather than owing to a fundamental difference of opinion; and we must form a lower estimate than has been accepted by many regarding the force of the Texas feeling behind the nomination of Polk. As yet, so far as great numbers of the Democrats were concerned, this question had not profoundly stirred the political consciousness. Texas was Botany Bay still. It was still remote and superfluous; and to many the designs of England looked rather unsubstantial after all.

<sup>31</sup> *Herald*, Feb. 17, 1844. *Tribune: Detroit Adv.*, March 13, 1844. Pillow to Polk, May 29, 1844: Polk Pap.

## XIII

### THE FATE OF THE TREATY

APRIL 22 the annexation treaty was read twice, ordered printed in confidence for the use of the Senators, and referred to the committee on foreign relations. In the room of this committee it then lingered for nearly three weeks; but finally on May 10 it was reported. Three days later Benton offered certain resolutions upon the subject: that the annexation of Texas would be an assumption of the war between that country and Mexico; that the treaty-making power has no right to create a war "either by declaration or adoption"; and that the territory abandoned in 1819 "ought to be reunited with the American Union as soon as it can be done with the consent of the majority of the people of the United States and of Texas, and when Mexico shall either consent to the same or acknowledge the independence of Texas, or cease to prosecute the war against her (the armistice having expired) on a scale commensurate with the conquest of the country." On the following day the Senators felt prepared to attack their arduous problem; and although Buchanan wished the subject postponed until the first of June, they voted to discuss it daily, beginning on May 16. Allen of Ohio moved that a departure be made from the course usual in such cases and the matter be considered with open doors, but this proposition was not adopted.<sup>1</sup>

A number of circumstances besides the confidential nature of the main evidence regarding British designs were unfavorable to the ratification of the treaty. One of these was the extraordinary predicament in which Benton found himself. As a Southerner, a Westerner, a Jacksonian and an old-time friend of Texas, he had seemed predestined to lead on the affirmative side of the contest. But his close affiliations with Van Buren, his imputed ambition to succeed that gentleman four years later in the Presidency, his detestation of Tyler—the prime leader in the annexation movement, and his hatred of Calhoun—its principal agent, drove him to the other side. Embarrassed by previous action, by present convictions

<sup>1</sup> See General Note, p. 1. Sen. Ex. Journ., vi., 257, 262, 271, 277 (Benton's resols.), 278, 310 (Benton's resols. tabled, June 8), 279, 264 (Allen).

and by party bonds his opposition was necessarily doomed to be awkward and inconsistent, but he assumed the rôle of antagonist with abounding energy and abounding passion. To deepen his feeling on the subject he believed, as Blair informed Jackson, that the Whig majority of the Senate would certainly defeat the treaty, and that its failure would not only injure the cause of annexation but bring war upon Texas; and to embitter it still more, he saw in the opposing ranks men who had intentionally blasted the hopes of Van Buren and himself by helping to bring up the issue at this period. In this resentment the ex-President must have shared; and no doubt he exerted all his influence from the first against the ratification of a treaty that not only ran counter to his expressed opinion and preference, but was the darling project—and, if confirmed, might become the high stepping-stone—of his ancient enemy, Calhoun.<sup>2</sup>

Raymond, secretary of the regular Texan legation at Washington, reported that Calhoun's letter to Pakenham had a strongly unfavorable influence at the North, and even drove the Ohio Senators over to the opposition. It also repelled those from the South who did not think it wise to make slavery a national question; and his despatch to the American chargé at Mexico caused further embarrassment, since it appeared to some like a quasi acknowledgment of the Mexican claim upon Texas, and therefore cast a doubt upon her independence. Raymond felt also that Tyler himself had greatly injured the cause by hoisting the motto "Tyler and Texas" as a Presidential candidate, since now ratification could not fail to appear more or less like an endorsement of him and his political aspirations.<sup>3</sup>

The prejudicial effect of Clay's and Van Buren's letters was of course immense. An address of the Democratic Central Committee of Virginia stated that before they came out the people seemed unanimous for annexation, and that after the treaty was laid before the Senate rumors were current for a time that it would be ratified without dissent; but "to the astonishment of the whole nation" the two foremost party leaders of the country declared against the measure, and then politicians who had been loud for it held public meetings to demand its rejection, and the Senators cancelled their pledges of support. Clay's letter will kill the treaty, announced the *Spectator* as soon as it appeared, and his control of the Senate

<sup>2</sup> Blair to Jackson, Sept. 9, 1844: Jackson Pap. Phil. Ledger, May 13, 1844.

<sup>3</sup> Raymond to Jones, April 24, 1844: Jones, Memor., 343.

majority evidently warranted the opinion. Until that voice was heard, said a Georgia Representative on the floor of the House, only Adams and a few others dared avow hostility to annexation. The Democrats, indeed, took a firm stand at Baltimore for the acquisition of Texas; but as they said nothing for a treaty which every delegate knew was pending at the time, Van Buren seemed in this regard to have the support of his party.<sup>4</sup>

A great number of adverse resolutions, petitions and memorials poured into the Senate and House, and the strength—or at least the number of these—could not fail to have some effect. The Connecticut legislature, for example, resolved that annexation would violate our treaty with Mexico and virtually declare war upon her; while the legislature of Massachusetts protested that the State would “submit to undelegated powers in no body of men on earth,” and that “the project of the annexation of Texas, unless arrested on the threshold, might tend to drive” that and other commonwealths “into a dissolution of the Union.” The *Houston Telegraph* understood that the Massachusetts Senators had been expected to vote for ratification, but were prevented from doing so by these resolutions.<sup>5</sup>

Several other influences counted on the same side. Uncertainty as to the future political complexion of Texas must have had some weight. Her envoys probably endeavored to create the impression in each party that it would be given her vote, for we know that Henderson was awake to the importance of “cultivating” the Whigs; but both of these men were labeled as “determined Democrats”, and no doubt the Whig politicians could think for themselves on the subject. Disconcerting news arrived from Mexico. It became known that the official journal of that city represented the government as determined to recover the lost province, and a

<sup>4</sup> (Committee) *Richmond Enq.*, May 10, 1844. See also the address of the Miss. Dem. Cent. Com.: *Mississippian*, Aug. 9, 1844. *Spect.*, April 27, 1844. (Haralson) *Cong. Globe*, 28 Cong., 2 sess., 180.

<sup>5</sup> Sen. Docs. 402, 219, 61, 28 Cong., 1 sess. Senate: *Cong. Globe*, 28 Cong., 1 sess., 175, 346, 428, 450, 457, etc. House: *ib.*, 55, 56, 168, 174, 243, 291, 337, 415, 467, 538, etc. *Telegraph*, March 20, 1844. C. J. Ingersoll, chairman of the House committee on foreign affairs, stated on the first day of May, 1844, that the protests and petitions relating to the subject of annexation which had been referred to his committee during the session numbered over ninety. Me., N. H., R. Id., N. J., Del., Md., Va., No. Car., Ga., Ala., Ark., Mo., Tenn., and Ky. were not represented among them, and Pa. and Mich. to but a small extent. Thirty-five of the petitions were presented by one member of the house, and ten by another. Half of them were little or nothing more than a protest against slavery. Many were signed by women. The most general and earnest opposition to annexation (according to Ingersoll, a friend of Texas, the only such opposition) showed itself in Massachusetts.

man who set out for New York near the end of April said that a disposition to resist annexation uncompromisingly was evident there. Still more harm was done by the truce and proposed armistice between the belligerents. The New York *Tribune* and other journals took the view—though its inaccuracy must have been understood—that Texas had actually acknowledged herself to be a Mexican Department, and Van Zandt recognized the effect of Hockley and Williams's act as damaging. Henderson felt satisfied that the Whigs had consulted with Pakenham in reference to the treaty; Raymond understood that the British minister had used his influence with Senators against ratification; and the reports of this gentleman to the Foreign Office confirmed both of these opinions; while the French minister, so the Washington correspondent of the Philadelphia *Ledger* stated, though he dared not protest formally against annexation lest such a proceeding should react and injure Guizot's cabinet, stopped important gentlemen on the street, and gravely though politely intimated that France might have something to say about the matter. In fact we have Pakenham's word for it, that Pageot co-operated with him by "making known in influential quarters, the dissatisfaction with which His Government would in common with Her Majesty's Government view any attempt on the part of the United States to carry the proposed annexation into effect;" and Almonte assisted by withdrawing from Washington, so as to counteract the impression that he was negotiating on the subject, and strengthen the apprehension that Mexico would not accept peaceably the incorporation of what had been hers in the American Union.<sup>6</sup>

On the other hand certain outside influences co-operated more or less with the arguments and sentiments now familiar to us. A desire to obtain the Texas trade had recently shown itself in Congress, and in February citizens of New York had begged the Senators to ratify the treaty of navigation and commerce which had been arranged with that country. In truth it seemed high time to do something about this matter, for a letter from the Texan consul at New York, accompanying their memorial, stated that the exports to Texas, which had been \$1,687,082 in 1839, had diminished by 1843 to \$190,604. A petition from Maine, signed by members

<sup>6</sup> Hend. to Jones, March 30, 1844: Jones, Memor., 333. Reily to Jones, Feb. 19, 1844: *ib.*, 318. Newark *Adv.*, May 21, 1844. *Tribune*, April 22, 1844. Van Z., No. 120, May 11, 1844. Hend. to Miller, June 12, 1844: Miller Pap. Raymond to Jones, April 24, 1844: Jones, Memor., 343. *Ledger*, May 10, 1844. (Pak., Pageot and Almonte) Pak., Nos. 16, 22, 36, March 28; April 14, 28, 1844.

of both parties, argued that the extension of Texas as an independent nation would be troublesome if not dangerous; that in time she might become unfriendly and even ally herself with countries at war against the United States; that in peace our interests would suffer from her unequal competition and the diversion of her trade to other channels; and that annexation, improving our boundaries, adding to our security and strength in the case of war, increasing our commerce and shipping business in times of peace, enlarging the market for our manufactures, promoting our internal trade, and opening a general field for the enterprise of our citizens, would confer benefits like those derived from the acquisition of Louisiana, which no one had ever regretted. Still more emphatic though less argumentative were the resolutions of the Mississippi legislature, which urged the immediate incorporation of the territory in question, and maintained that any attempt of a foreign power to obtain it or to establish "a commanding influence" there, should be considered by the United States a "sufficient cause for war."<sup>7</sup>

Benton asserted that during the debates on the treaty the State department, the White House, the lobbies of the Senate, and all other public places were crowded with speculators in Texas land and scrip and in claims against Mexico, all working for ratification; but a broad allowance must be made for his vivid imagination, inflamed now by his incandescent feelings. It is very improbable that such speculators wore badges, or could be distinguished in any other way from ordinary politicians, office-hunters and the like; and it is difficult to see why speculators in claims against Mexico should have favored annexation, an event likely to make her far less willing than before to settle the American demands. Tyler and Calhoun themselves, it was admitted, were not interested in Texas lands or scrip.<sup>8</sup>

Letters from Murphy, dwelling upon the vital importance of the measure and the danger of delay, were probably shown to Senators. Especially useful may have been a despatch dated on Washington's birthday. Elliot, he understood, had written to Jones that an annexation treaty could not be ratified; and he requested that the Senators be informed of this fresh interference of the British envoy. The almost unanimous declaration of the

<sup>7</sup> Sen. Doc. 138, 28 Cong., 1 sess. *Cong. Globe*, 28 Cong., 1 sess., 542, 408.

<sup>8</sup> Benton, *View*, ii., 623, 631. The point has been urged that it was no worse to speculate in Texas properties with an eye to annexation than to manipulate the tariff, river and harbor bills, etc. for private advantage as did some of the Northerners (Tyler, *Tyler*, ii., 323).

Texan Congress in favor of joining the United States proved injurious perhaps, for it suggested that Texas could be had at any time; but Murphy provided certain antidotes. One of these gave an account of a public meeting convened at Houston on the fourth of March, which demanded that the government reach a speedy understanding with the United States, and, should annexation be found impossible, secure at once the protection of England on some such "basis of mutual benefit" as that country had recently proposed. Another represented it as likely that recognition could be obtained from Mexico by surrendering the region between the Nueces and the Rio Grande to England. A third told how British agents and British gold were producing a "sudden and extraordinary" change of sentiment among the people; and another, an editorial in the *Houston Telegraph*, pointed out that should the country remain independent, the tariff ought to discriminate severely against American manufactures and favor the British, for then the Texans would be able to purchase wares at a low price, and, since their cotton would be admitted by England on good terms, the American planters, unable to compete with them, would soon be flocking across the Sabine.<sup>9</sup>

On the Democratic side of the Chamber great influence was exerted in favor of the treaty by Jackson. Several of his letters have already been mentioned, and certainly they were strong; but in April he wrote one that sounded to politicians of his party like the last trump. "Men who would endanger, by a postponement, such great benefits to our country, for political objects," he thundered, "have no patriotism or love of country, and ought to be publicly exposed—the people of the South and West will withdraw all confidence from them, and send them to their own native dung-hills, there to rest forever." Tell Walker, he commanded, to "have this matter pushed—let the Treaty be made and laid before the Senate. If the Senate will not pass it this session, it can be laid upon the table until the next—This will prevent Mexico from invading Texas, and be a barrier against the intrigues of Great Britain. . . . Say to him from me, and if you choose to the President, that delays are dangerous. Houston and the people of Texas are now united in favor of annexation—the next President may not be so. British influence may reach him, and what may

<sup>9</sup> Sen. Doc. 349, 28 Cong., 1 sess., 7. Murphy, conf., March 4, 1844. Baker to Murphy, March 15, 1844: State Dept., Desps. from Mins., Texas, ii. Murphy to Tyler, March 16, 1844: ib. Murphy, Jan. 25, 1844. *Telegraph*, Jan. 17, 1844.

now be got from Texas freely and peaceably, may evade our grasp and cost us oceans of blood and millions of money to obtain—and obtain it the U. States must—peaceably if we can, but forcibly if we must.” We have placed our Indians on the Southwestern border, continued Jackson. New Orleans is vulnerable. The frontier is weak. Were British influence to control Texas, the slaves of the Mississippi valley would be worthless, for they could cross the line and be free. If the treaty is put before the Senate, the Senators will not dare to vote against it. Three-fourths of “all the people” are for the measure. “The subject has carried me on,” concluded the broken but unflinching warrior, “until I am gasping for breath whilst using my pen. . . . *The perpetuation of our republican system, and of our glorious Union*” is involved. This letter, said Cave Johnson, made a sensation; and its echoes doubtless haunted the Democratic wing of the Senate Chamber as long as the subject was under consideration.<sup>10</sup>

The speeches on the treaty are rather tedious reading. Much said by the statesmen was really addressed, one infers, to their constituents, and much was for partisan effect upon the country at large. Many errors of fact, many exploded fallacies, and many fallacies that deserved to be exploded were solemnly exhibited. No little ability, however, of one kind or another found vent, and some of the addresses were distinctly striking. Benton made one of these. With great force, though reckless in the use of history and logic and altogether too much in his characteristic vein of Big Bully Bottom, he attacked the arguments brought forward to support annexation, and maintained that Tyler’s real purpose was to destroy the other aspirants for the chief magistracy, bring on a war with Mexico, and so—in imitation of Jackson—appear before the nation as a “Texas candidate anointed with gunpowder, for the presidential chair.”<sup>11</sup> In reply to him McDuffie contended

<sup>10</sup> Jackson to Lewis, April 8, 1844: Jackson Pap. Johnson to Polk, May 16, 1844: Polk Pap.

<sup>11</sup> *Cong. Globe*, 28 Cong., 1 sess., App., 474. Benton spoke promptly, calling up his three resolutions as the basis of his argument. By this treaty, he said, it is proposed to annex all the territory claimed by Texas, including portions of Chihuahua, Coahuila, Tamaulipas and New Mexico,—the last of which is unquestionably under Mexican jurisdiction. This means war; and so the Secretary of State virtually admits in his letter to our chargé at Mexico, written seven days after the treaty was signed. Aside from this feature, however, that instrument as a whole—if we ratify it—means war, for war now exists between Mexico and Texas. Tyler in his last annual Message recognizes the existence of the war, and other recent official documents both American and Texan have done the same. The fact of war is also proved by the armistice; and, finally, Mexico



frankly that slavery in the United States was threatened, that the Southerners had a constitutional right to demand protection, and

holds 2,000 miles of the frontier claimed by Texas, so that a conflict could not well be avoided.

Moreover, it is the design of our President to force the United States into a war with Mexico. His Message of April 22 announces the purpose of protecting Texas by receiving her into the Union and thereby adopting her war because she is in need of defence and seeks it from us. Upshur's letter despatched to Murphy Jan. 16, 1844, reveals a determination to use the treaty-making power to adopt her war with Mexico. Calhoun's letter of April 19 to the American chargé at Mexico declares that the United States desired to maintain peace but had signed the treaty in full view of all possible consequences,—that is to say, were ready for war; and Almonte had already given us notice that a conflict would be the result of annexation. In reality the war has actually begun, for an "army of observation" has been dispatched to the Mexican frontier, and what is that but an army "in the field for war"?

Such a war would be unconstitutional, for hostilities cannot be declared by the treaty-making power. It would be an unjust war, too, upon a peaceable nation in violation of our neutrality and our treaties, in violation of the armistice between Mexico and Texas, to the instant injury of our commerce, and on a weak and groundless pretext. Some allege, no doubt, that Mexico would not dare to fight us. Were this true, the case would still be bad in morals; and it would still be bad in policy to offend without excuse an amicable neighbor with whom we have a large trade. But the ratification would not merely be a cause of war, leading possibly to no conflict; it would be war itself, abrogating our treaties with Mexico. And all this we are asked to bring upon the country instead of obtaining the consent of Mexico or waiting "a few months for the events which would supersede the necessity of Mexican consent."

For thus injuring and then insulting our neighbor the "imaginary designs" of a third power are no excuse. The unreality of these alleged schemes is shown in the very documents laid before us by the President, for when the matter was brought to the attention of Mr. Everett he obtained from Lord Aberdeen assurances which entirely dissipated all grounds of apprehension. Further confirmation was contained in Aberdeen's "noble despatch" of Dec. 26. Yet the government instead of accepting, refuting or taking time to investigate these disavowals signs the treaty, submits it to us, and hurries a messenger off to Mexico. Why was this course adopted? Because the time necessary for the messenger to return would be long enough "for the 'Texas bomb' to burst and scatter its fragments all over the Union, blowing up candidates for the presidency, blowing up the tongue-tied senate itself for not ratifying the treaty, and furnishing a new Texas candidate, anointed with gunpowder, for the presidential chair." England simply desires to see the Texan slaves, like all others, emancipated, and is ready to offer counsel to that end if it will be acceptable. This is all; and we—especially as we have joined with England to suppress the slave trade—cannot fight her for entertaining such a wish. That nation errs by arrogance, not duplicity, and I accept her assurances. The simple fact is that Tyler aspires to be President; therefore he wishes to play the part of Jackson; and to that end he desires a war.

But, we are assured, it is *now or never*. At first it was England that had designs on Texas; but now that "*raw-head and bloody-bones*" has been dropped, and it is Texas that has designs upon England. Repulsed by us she will throw herself into the arms of Great Britain. But this is a libel, for the Texans are Americans and republicans. It is represented, too, that Santa Anna would welcome annexation as a way of escape from his embarrassing situation. But Mexico has threatened to declare war in the case of annexation; her minister withdrew from our seat of government as soon as he knew the treaty had been signed; we have thought it necessary to send a messenger to Mexico in order to prevent her from assuming a belligerent attitude; and we have despatched soldiers to protect our citizens. No doubt, indeed, the wise men of Mexico have long since perceived that the loss of Texas was inevitable, and by treating that

that it was the constitutional duty of the federal government to extend it.<sup>12</sup> Jarnagin, a Tennessee Whig, was especially truculent, perhaps because—living so near the Hermitage—he was sinning against great light. The whole annexation business was described

country with respect we could have arranged the matter amicably; but the Texas bomb was thought more valuable than honor, justice and the acquisition of the region beyond the Sabine.

In spite of everything that country will yet be ours. The question is national,—more western than southern and as much *free* as slave, for only half of Texas is adapted to slave labor. The mass of our people wish that acquisition made, though in no great haste to see it done. The few who from selfish and sectional motives clamor for it are really the only enemies of annexation, and in spite of them this great measure will be carried. Personally I favor it now, as I have always favored it, and I consider this the most important question upon which I have ever been called to vote; but I could not support the treaty even though opposing it were to end my political career. [Benton tried, by a highly original view of the facts, to show that (without the knowledge of either country concerned, the United States or the powers of Europe) Spain recognized Mexico in 1821, and that the Mexican revolution was a civil war. His purpose in this was to destroy the analogy between Mexico's situation from 1821 to 1836 and that of Texas in 1844. Equally curious was his idea that sending the troops to the frontier produced a state of war. He asserted, what Archer denied and the facts disproved, that Archer had promised not to let the treaty be considered for forty days. As Pak. (No. 53, May 29, 1844) reminded the British government, Benton had previously been "distinguished for the intensity of His anti-English feelings," and the minister explained his extraordinary change as due to a wish "to make out the strongest possible case" against Tyler, Calhoun and the treaty and in justification of Van B.'s course.]

<sup>12</sup> *Cong. Globe*, 28 Cong., 1 sess., App., 451. McDuffie said in substance: It was the right and duty of the President to make this treaty, and it is the right and duty of the Senate to confirm it. There is nothing in Benton's argument that in annexing Texas we should be annexing parts of Mexico, for the treaty conveys to us only the territory that really belongs to Texas. Indeed the whole question of boundary is left open to be adjusted with Mexico. It is asserted that by carrying out this measure we should be violating our engagements with Mexico; but no one questions the right of France to aid us in 1778. Only in case we had guaranteed the territory of Mexico would the annexation of Texas be a violation of good faith. After admitting that country to the family of nations by recognizing her, can we pretend that she lacks the most essential element of sovereignty? Is she a star shorn of its beams? No. Her sovereignty has been acknowledged by five powers, and her stability as a nation is firmer than that of Mexico. She is therefore the owner of her territory, and ownership involves the power to sell. In 1836 I believed that the adoption of Texas would be the adoption of a war; but time has passed, and that is no longer true. Webster has correctly said that "the foot of an invader has not *rested* on the soil of Texas since the battle of San Jacinto." When Adams and Clay proposed to buy the province, Mexico was at war with Spain, and four years later Spain was to drive the commerce of Mexico from the seas and land an army on her coast, yet Adams and Clay did not think it necessary to consult the mother-country. More noteworthy still, when Jackson and Van Buren tried to effect the purchase, that Spanish army was actually on Mexican soil.

What, then, is our duty in the premises? Is Great Britain to be permitted to "obtain the control of Texas" by a treaty guaranteeing her independence and stipulating for exclusive commercial privileges, without an effort on our part to prevent it? If she succeeds, she will injure the interests of every section of the United States, and she will be able to throw her whole military force into our rear. So far as cotton is concerned, it is Massachusetts—not South Carolina—that would profit from the annexation of Texas; but my section has at stake its entire property and its political existence. Benton thinks that England's dis-

by him as a ridiculous "fraud," with which John Tyler intended if he could to "bamboozle the American people in the approaching Presidential election."<sup>13</sup> Buchanan spoke on the other side, and

claimers ought to satisfy us; but all that she denies is the employment of "improper" means to secure the abolition of slavery in Texas; and it is not her armed forces, but her influence, her counsels, her diplomacy, which are best calculated to produce the results we dread, and against which our government is bound to exert itself. Were Aberdeen's wishes fulfilled in South Carolina, I would rather leave my native State for the most barren mountain of Switzerland than remain there among the emancipated negroes; and the South and Southwest are convinced that British control in Texas would menace the institution of slavery in the United States.

The responsibility for the existence of that institution rests upon those very states, old and New England, which are now engaged in a crusade against us for having it, and the South merely demands protection for a system that was forced upon her and has now become ineradicable. To demand it is our constitutional right, and the constitutional duty of the federal government is to extend it to us. Jackson, who is in the confidence of Houston, tells us that annexation must come now or not at all, and so I fully believe. Even Van Buren declares that if a foreign power gains a foothold on the Gulf, a war to expel it will be worth while. How much better to prevent the mischief, as now we can, without a war.

<sup>13</sup> *Cong. Globe*, 28 Cong., 1 sess., App., 682. Jarunagin pursued this line of thought: There is no power in the constitution to annex Texas, for that instrument is a compact and a change of the parties would terminate the agreement.

The whole affair is outrageous. At one time we are told that Texas is independent and sovereign, at another that she is ready to fall a prey to the first comer; now that she is at peace with Mexico, and now that she urgently needs our protection. The treaty itself is a humbug. Made without authority, it conveys to us a war under the pretence of ceding territory; and the Senate is asked to undertake hostilities which the treaty-making power has no right to declare.

Of what is Texas in danger? Nothing worse on the side of England than a free trade treaty, and nothing worse at home than abolition. But where only one man in seven owns slaves, emancipation could do no great harm, and in reality the Texans themselves appear to be quite calm; while as regards the other peril, England cannot expect to reduce Texas to vassalage by a commercial agreement. If she attempted to oppress that people—or to impose monarchical institutions upon them—by virtue of such a treaty, how long would the treaty stand? Even in the best of Americans England has no confidence; and how then must she feel about placing her trust on those offscourings? And would she imperil her trade with these United States to get the trade of less than 200,000 Texans? "The truth is, this whole business is a fraud, a plan with which John Tyler intends, if he can, to bamboozle the American people in the approaching Presidential election." The government of Texas had no more power to hand that country over to us than our government has to hand the United States over to Texas. If that government can sell the sovereignty of the nation, each of our States could do the same; and the central government, buying them up, could totally change the nature of this confederation. An examination of the treaty, article by article, clearly shows its false, delusive and ridiculous character. "Its moving cause was a desperate Presidential speculation;" and "its main agents were the gamblers and brokers of the bankrupt finances and fraudulent land grants of Texas." The documents are like it, and the President's Message itself is no better. His talk about the independence and sovereignty of that country is refuted by the mere continuance of the war, by his own argument that unless we accept her she will have to throw herself into the arms of England, and finally by Upshur's despatch of August 8, which represents her as entirely unable to defend herself against Mexico.

The London story of English abolition designs was so inconsistent that Upshur himself confessed he could not believe it; yet instead of rejecting or

from the Northern point of view made a more effective argument than any one else. John Quincy Adams described him once as "the shadow of a shade," and few of us are inclined to protest; but the nature of his intellect, compelling him to take rather simple views of things, kept him fairly near the plane of common sense except when some exigency of the case required him to urge a worse against a better reason. It was bootless, he said, to discuss Tyler's motives, his Message, or even the documents, for the real question was on the treaty itself; and he then proceeded to argue that it was proper, expedient and in fact needful to ratify the agreement, that no injustice would be done to Mexico or the Texans, and that eventually this measure would work to the disadvantage of slavery.<sup>14</sup> The debate was closed by Archer with a speech in

even investigating it, he made it the corner-stone of this whole business. The entire official history of the reasons for this affair was intended to mislead. Its real origin was explained by Professor Beverly Tucker of William and Mary College at a recent meeting in Williamsburg. Tucker said he had a large tract of land in Texas and a joint interest in about sixty slaves. In 1843 his partner in Texas wrote to him, proposing the annexation of that country. Tucker seized upon the idea and communicated it to his intimate friend, Upshur, who immediately took it up, saying that he believed he could win over the Yankees by appealing to their self-interest but would go in for it anyway, and that he was ready to bring North and South to a direct issue at the next session of Congress. In a word, then, "the entire plan is a complication\* of rapine, of impolicy, and of imposture." The time may come when we can annex Texas without danger and without disgrace; but vote for this present treaty I cannot.

<sup>14</sup>J. Q. Adams, *Memoirs*, xi., 352. Buchanan; *Cong. Globe*, 28 Cong., 1 sess., App., 720. Silas Wright said that Buchanan was brought over to Tyler's side by his passionate desire for the vacant place in the Supreme Court (to Van B., May 6, 1844: Van B. Pap.). He spoke substantially as follows:

It is needless to discuss Tyler's motives or the character of the Message and documents, for the subject before the Senate is the treaty itself. Texas became ours by the purchase of Louisiana in 1803. In 1819 we dismembered the Mississippi valley, and brought a foreign nation close to our weakest frontier. Now that territory, no longer a wilderness, is offered to us. Are we to refuse it? That is the question. The people of Texas have voted to join the United States and are known to be substantially unanimous for annexation at present, and therefore it is bootless to argue that under their constitution the treaty-making power had no authority to make this agreement or that the agreement was obtained from them under false pretences [as to the probability of our ratifying it]. As General Jackson has shown, we need that country for our military security. Annexation is expedient, also, because it would certainly extend the markets for our manufactures, promote our internal commerce and bind the Union more closely together; whereas if we reject it, England will secure the finest cotton country in the world, and our interests will permanently suffer. With Texas in our possession, the slave States will enjoy greater security and the Northeast receive immense pecuniary benefits. The latter section opposed the acquisition of Louisiana, but what would they be now without it? Sugar and iron are the interests that most need tariff protection; hence by admitting Texas we strengthen the tariff; while if we reject Texas, she will form a commercial alliance with England as dangerous and injurious to us as if she were to become a British colony. Cotton is essential to England, and if we take Texas, we shall keep England permanently dependent upon us, which will be a greater defence than a hundred thousand soldiers. Let Texas remain independent, and it will be for mutual interest that she send her cotton to England and purchase English manufactures.

opposition. He endeavored to show that it lay beyond the power of either Executive to make such a treaty, and that endorsement of it

Bear in mind also that Texas extends north to 42 degrees and can produce the staples of the middle and western States. As a separate nation therefore she would be our jealous and hostile rival all along the line. She would adopt free trade or impose a very low tariff on English goods, cutting down our revenue and injuring our manufacturers by extensive smuggling into this country.

Those hostile to slavery should not oppose this treaty. Annexation would draw the negroes from the northern slave States because they would be more profitable in Texas; and eventually slavery might pass the Del Norte for good and all. Annexation would not increase the power of the slave section in our government, for more than half of Texas is not fitted for negro labor. It is, however, necessary to draw a line there beyond which slavery shall not go, else we shall have another Missouri question.

The history of the constitutional convention of 1787, the purchase of Louisiana and Florida, and the admissions from beyond the Mississippi prove that States may be formed from territory not belonging originally to the United States. It is absurd to argue that because Texas is a sovereign nation we cannot accept a deed of it given by the people themselves, though we *could* accept a cession of Louisiana made without the consent of the people. Vattel recognizes that a nation has power to incorporate itself with another by treaty.

The main objection to the proposed measure is that it would involve the violation of a treaty and cause an unjust war, since Mexico is now on terms of hostility with Texas. As for the treaty of amity with Mexico, nearly all modern wars have occurred between nations bound together by such agreements. Self-preservation is an adequate ground for disregarding obligations of that nature. One who believes that Texas will become a dependency of England unless we take it, and that through English influence a servile war in our southern States would result, would be justified in voting for annexation even had we guaranteed the integrity of Mexican territory. So says Vattel. Nay more; Vattel and other authorities deem it commendable to succor the weak when they are oppressed by the strong (Book iii., chap. 7, sect. 83); and therefore it is not only our right but our duty to take the part of Texas. Nor is this all. Texas has never owed allegiance to the present government of Mexico. From the moment Santa Anna overthrew the constitution under which the colonists went to Texas, that state became free and sovereign. Were a President of the United States to set himself up as a despot, annul the federal and State constitutions, drive out the legislatures by armed force and win the support of a subservient Congress, would the States resisting him owe allegiance to his government? Waiving, however, this consideration, even had we espoused the cause of Texas in 1835, we should only have been in the position that France took in 1778; and who will maintain that France violated her faith with England by coming to our rescue? The treaty of 1763, then in force between those countries, contained a stronger stipulation of peace and friendship than does our treaty with Mexico. The idea of broken faith in the present case is therefore a mere "phantom."

It is said that annexation would be unjust to Texas,—would be like the partition of Poland; but we know that the people of that country desire ardently to join us. Equally fallacious is the argument that the war still continues and we ought to wait longer, for a war sufficient to bar annexation must be a war commensurate with the task of subjugating the country, and that does not exist. Next we are adjured to obtain first the consent of Mexico. But that is impossible, for England has influence enough to prevent it; and if we decide to wait for that consent, we allow England to interfere and practically encroach upon our independence without being able to hold her responsible for so doing. Much is heard, too, of the good faith and kindness of Mexico towards us, as an additional reason for treating her with tender consideration; but the record shows that we have had many occasions to make complaint. Then the alleged armistice is held up as proof that a war exists; and it is urged that Mexico should be allowed a reasonable time after the expiration of the armistice to subjugate her revolted province. But there is no armistice. Each side tried to obtain one on its own terms; each

by the Senate, in addition to being constitutionally improper, would wrong Mexico, involve the United States in a war, and stamp us in the eyes of the world as an aggressive and faith-breaking nation; and his argument, while not convincing, was undoubtedly strong.<sup>15</sup>

failed; and Mexico has done nothing since towards invading Texas. But what if a war does exist? We made repeated attempts to purchase Texas—without the consent of the inhabitants—before Mexico had been acknowledged by Spain, yet nobody took the ground that we violated our faith with the latter nation. Why, then, object now to the acquisition of the same territory, especially since now we have the consent of the population?

It is objected that Texas does not own to the Rio Grande. But we could not expect her to proclaim to the world that the boundaries solemnly asserted by her were fictitious. We must receive her as she is or not at all; and when we have acquired the territory, we can adjust the boundary with Mexico ourselves. Objection is made also to our assuming the debt of Texas. But we could not take her lands without so doing. With the exception of \$350,000 the debt will be paid from the sale of her lands; but were this not so, the value of the acquisition is far greater than the total burden. It is further represented that the power to declare war belongs to Congress, and that the President and Senate have no right to adopt a war by making this treaty. The answer is easy. The friends of the measure do not expect it to be executed without "a previous act of Congress for this purpose."

It is for the interest of Mexico herself that we annex Texas. The Americans of Texas would never accept the political institutions and methods of Mexico. She never can subdue them, and an attempt to do so, drawing thousands of our citizens to the standard of the Lone Star, might end in another battle of San Jacinto under the walls of the Mexican capital. Ratify the treaty we must. Our refusal to do so would irritate the Texans; they might take counsel of their interests instead of their inclinations; and that course might lead to a commercial alliance with England. There is the more danger of resentment because the Senate, adopting the unusual course of publishing the correspondence, has betrayed the policy and desires of their country. The denunciations of the treaty in this Chamber and the attempts to excite indignation against its authors will apparently authorize Mexico and England to exert their full strength against the project of annexation, and the danger of losing Texas is so much the greater. If we let this treaty slip, the advantage of a favorable opportunity will be lost forever. By making the agreement we arrested British success in Texas; but if we reject it, England will renew her efforts there with higher hopes than before.

<sup>15</sup> Sen. Ex. Journ., vi., 310. (Archer) *Cong. Globe*, 28 Cong., 1 sess., App., 693. His argument ran as follows:

The desirability of securing Texas for political, commercial and social reasons is no doubt very great, but that fact has no more place in the present discussion than the value of Belgium. The most important question is whether a valid transfer of Texas to the United States can be made. Our recognition of that country did not affirm her sovereignty, but was rather a refusal to pass judgment upon that point. It was merely an acknowledgment of the fact of possession—to last no longer than possession should continue—in order that intercourse and trade might be carried on meanwhile. That such was the character of our action is shown by the obvious fact that should Mexico reconquer the country, it would be unnecessary to rescind the recognition.

Aside, however, from this the government of Texas, no matter what its basis, had no power to dissolve the institutions it was elected to administer, and transfer the territory and population to another power. The people alone could do or authorize this. Buchanan, it is true, has maintained that the Texans have already given authority for such a transfer; but that was seven or eight years ago, when they numbered only 7,000 or 8,000 persons. They may—I believe they do—desire to join us; but it is indispensable that they give a formal expression of their will. As for our own part, the treaty-making power cannot acquire

The prospects of the treaty, though brightening occasionally, went on the whole from bad to worse. April 24 Raymond expressed the opinion that Calhoun's placing annexation on the sole ground of protecting slavery, Tyler's coming out for the Presidency as the apostle of the measure, and the course of the *Washington Globe* in opposing immediate action and belittling Tyler's claims to credit would probably be fatal. By April 27 the correspondent of the *Philadelphia Ledger* thought the treaty might succeed when all the circumstances—particularly the designs of England, which were to

Texas, for instead of being mere territory it is a sovereign state, acknowledged as such by ourselves. Nor can the territory be transferred in any way at present; for though a nation at war may make a valid cession to a neutral, it cannot cede the very subject of dispute. Otherwise, just claims on the eve of enforcement might be eluded. Besides, our treaty of amity with Mexico forbids us to annex Texas. We are told, indeed, that France broke a treaty of amity with England and came to our aid. But the cases are not parallel, for France did not appropriate the colonies which she helped to wrest from England. France aimed to nourish the independence of a weak nation, while we aim to destroy it.

The "storm of debate," however, has raged around Benton's proposition that annexation would be the adoption of a war, and it has been maintained that Mexico has made only incursions into Texas since April, 1836. But does the magnitude of military operation determine their character? The momentous battle of Trenton was merely an incursion; and were the Texas war to become active now, the incursions of the past years, which have kept the flame of hostilities alight, would be recognized at once as parts of it. The real question is the public state or condition between Mexico and Texas, and that is unquestionably one of hostilities, as our proper sources of information on such a subject—the President and the Secretary of State—have officially informed us, supported officially by the representatives of Mexico and Texas. All recognize that the existence of war ought to be decisive regarding our action on the treaty, and a person demanding better evidence than this would not be convinced though one rose from the dead to testify. The state of war, then, exists, and nothing prevents active operations except the knowledge on the part of Mexico that an invasion of Texas would be the signal for a rush of Americans to meet her armies.

Abstractly the treaty-making power is legally competent to make a treaty which would result in hostilities, for we might deem it wise to ally ourselves with a nation already in a conflict. But it was the plain intent of the constitution to confer upon Congress the general authority to declare war, and we are bound to recognize that intent. Moreover, even had we the full right to adopt the war and even were there no war to adopt, the annexation of Texas would seem an unwarranted act of aggrandizement, and would injure us in the eyes of the world. And what reasons are alleged to justify such a move? A mere anonymous charge of abolition designs on the part of England, which England has officially denied. If under such circumstances we still believe in the alleged designs and act upon that belief, how can we have intercourse with the other nations of the world,—intercourse implying, as it does, confidence? Besides, the Texans are peculiarly wedded to slavery, and slavery is in their national constitution. No danger of their discarding it exists. Yet Calhoun would have us do precisely what he protests against England's doing [interfere abroad], or rather have us carry our views into effect in order to offset a mere expression of hers. Finally, the treaty is objectionable also because it was not willingly conceded by Texas. She repelled the proposition, and a wholly unauthorized surrender of our military and naval forces to her finally became necessary to win her consent. She will not in any event go over to England; but were the choice truly, as it is alleged to be, *now or never*, I would say *never*, rather than secure this territory at the expense of violated faith and the just imputation of self-aggrandizement.

be proved by clear documentary evidence—had been made known. Only the next day, however, the special secretary of the Texan legation expressed the opinion to Jones that both parties were against the treaty, and it would not receive ten votes.<sup>16</sup>

May 3 the *National Intelligencer* declared that the annexation measure, if not already dead, was past praying for, and in two days Cave Johnson informed Polk that it was not only past praying for but defunct. On the eleventh Van Zandt reported that the excitement in the United States on the subject was great, and public sentiment might sweep away the opposition. A week later Calhoun wrote that probably the treaty would be rejected; but he still hoped not, especially because "perfectly conclusive" evidence had been given to the Senate that Texas would be lost if not received at once. Another week, and the New York Tribune headed an editorial with these words, "The Texas Treaty Dead." One chance remained, however. After the Democrats made their declaration at Baltimore, there was a possibility that Clay would endeavor to take the wind out of their sails by directing his majority in the Senate to ratify the treaty. Jackson believed he would so do. But Justice Catron understood that his partisans in that body, having committed themselves the other way as their leader had wished, were unwilling to stultify themselves unless he would recant first. That Lord Harry would not, and the treaty was now unmistakably dead.<sup>17</sup>

The question of burial, however, remained, and it caused no little perplexity. Only one day before final action was taken Henderson informed his government that the Senators did not know what to do; and he said further to Miller that no one could tell whether they would "reject, postpone or propose some amendments to the Treaty to give themselves an excuse for delay." Rives introduced a resolution to lay it on the table and advise the President to obtain an extension of the time allowed for ratification, so as to let the people have an opportunity to express their views and afford an interval for agreeing with Mexico about the boundary. This resolution was submitted to Henderson, who remarked that he doubted whether Tyler would assent to it and that certainly Houston

<sup>16</sup> Raymond to Jones, April 24, 1844: Jones, Memor., 343. *Ledger*, April 29, 1844. Miller to Jones, April 28, 1844: Jones, Memor., 345.

<sup>17</sup> *Nat. Intell.*, May 3, 1844. Johnson to Polk, May 5, 1844: Polk Pap. Van Z., No. 120, May 11, 1844. Calhoun to Hammond, May 17, 1844: Jameson, Calhoun Corr., 588. *Tribune*, May 25, 1844. Catron to Polk, June 8, [1844]: Polk Pap.



would regard it as no better than rejection; and in consequence of this opinion or for some other reason it was laid on the table. Finally, on the eighth of June, a decision was reached. Every Senator except Hannegan of Indiana, who was supposed to favor the measure, went on record. Fifteen States threw their entire strength against the treaty; while Alabama, Arkansas, Illinois, Pennsylvania, Mississippi and South Carolina were solid in its favor; New Hampshire, North Carolina, Georgia and Missouri divided their vote; and the one representative of Indiana stood for the negative. The affirmative strength consisted of fifteen Democrats and one Whig, Henderson of Mississippi, and the negative of twenty-eight Whigs and seven Democrats. Woodbury of New Hampshire was the only New Englander who voted for ratification.<sup>18</sup>

In looking for the causes of this result, we seem to discover in the foreground a very handsome desire to be fair and kindly towards Mexico and loyal to that spirit of friendship which the treaty of amity, commerce and navigation, made with her in 1831, expressed so laudably. Governor Hammond, for example, in a Message to the legislature of South Carolina, said that the excuse given for rejecting Texas was that she could not be received without a violation of the treaty. This view he pronounced "romantic, if not ridiculous;" and one must admit, bearing in mind the slight significance usually given to the terms of friendship in international agreements and the rather conventional meaning which, as nations are related to one another at present, they necessarily must convey, that his adjectives were not wholly unreasonable. This is the more obvious because the treaty, instead of requiring an eternal condition of brotherly love to exist between the two nations, expressly contemplated even a state of war. Evidently the words "amity" and "friendship" were employed there merely in their customary international and conventional sense; and the course pursued by Mexico toward citizens of the United States had appeared to show clearly, that either she regarded the stipulation of a firm friendship as virtually abrogated—in which case it could not bind the other party to the contract—or believed that it did not require any special tenderness. In other words, the United States were under no obligation to consider the mere susceptibilities of Mexico, par-

<sup>18</sup> Hend. to Jones, June 7, 1844: Jones, Memor., 364. Id. to Miller, June 7, 1844: Miller Pap. Sen. Ex. Journal, vi., 311, 312. Rives offered his resolution on June 8. Evidently it had been shown to Henderson previously. Boston *Atlas*, June 12, 1844. *Nat. Intell.*, June 10, 1844. *Van Z.*, [No. 122], June 10, 1844. Garrison, *Extension*, 120-121.

ticularly in a case that involved very serious interests of our own; and as we had offered to pay liberally for any real damage inflicted upon her by receiving Texas, the treaty in question was adequately observed.<sup>19</sup>

There was, however, a second agreement between the two countries, for which Senators manifested a delicate regard. This was a treaty of limits, by which the United States recognized the Sabine as the boundary between our territory and that of Mexico. But men who took this line of march soon found themselves in a veritable thicket of difficulties. At once the question arose whether this instrument had not been rendered obsolete, like many a previous treaty, by the coming into existence of a new state of things. Mexico had permitted an apparently independent nation to spring up between herself and us; and the treaty, antedating that event, could not be cited as proof regarding its character. Then, too, it was a manifest absurdity to hold that the United States, whose own existence was based on the right of revolution, were compelled to deny that right to the citizens of every part of every nation with which a boundary agreement might happen to be made. Moreover, if the treaty of limits with Mexico placed us under an obligation to recognize all territory beyond the Sabine as forever hers, then the treaty made with Spain in 1819 compelled us to regard that very region and all other lands down to Central America as forever Spanish, so that in the eyes of the United States Mexico could not legally exist, and this treaty of limits itself was null and void.

A still longer shadow was cast in the Senate by the war between Texas and Mexico. It was urged with great force that the ratification of the annexation treaty would make this country a party to the conflict, and—since the authority to declare war belongs to Congress—would be an act of usurpation on the part of the treaty-making power. This was one of Benton's tall stalking horses; but Archer, though he opposed the treaty, could not let it pass. He pointed out with entire clearness that it might be for the interest of the nation to ally itself with a power engaged in war, and that the necessary agreement—which would at once involve us in hostilities—would have to be effected by the treaty-making power.

It was also contended that such a war, unprovoked by our neighbor, would be unjust and shameful. This was a point of capital importance with the opponents of the treaty, and no one can

<sup>19</sup> (Hammond) *N. Y. Tribune*, Dec. 2, 1844. *Treaties in Force*, 389.

deny that it carried very great weight. In reply it was explained that in the event of annexation Texas would unquestionably share in our foreign relations. Were the United States to have a war with England, for example, that part of the country would be exposed to invasion. But it would be absurd to hold that two sets of foreign relations—those of the annexing nation and those of the nation annexed—could co-exist, since they might be inconsistent. Therefore it could only be supposed that the second and very minor set lapsed. The United States would not, then, become logically and necessarily a party to the war. Mexico could merely claim damages for an alleged injury; and as this country offered to meet any such claim generously, a conflict—should it follow—could only be due to an unreasonable attitude on her part, and consequently she would be the real aggressor.<sup>20</sup>

Another point, also, had a bearing upon this aspect of the matter. It was argued often that as annexation is the strongest kind of alliance, the United States would be dragged into the war by accepting the treaty even more surely and rightfully than if we formed an alliance with Texas.<sup>21</sup> But here again something was overlooked. An alliance entered into with a belligerent is fundamentally different from an act of annexation. Not being of an essentially permanent character, it appears to be made with direct reference to the existing state of hostilities, and we therefore regard it properly as involving a participation in the war. The acquisition of territory, on the other hand, is primarily a domestic affair of a commercial and political nature. It contemplates, not a temporary state of things, but a future of indefinite duration; and war is implied only as an incidental consequence. To a certain extent the one case is that of a man who retains a court lawyer, and the other that of a man who enters into a partnership with some person. In the first instance a legal contest is directly and primarily in view; but in the latter, while trouble of that nature may some day follow, it is by no means the end contemplated.

<sup>20</sup> Treaties in Force, 389. Wash. *Globe*, April 7, 1844. See also *Democ. Review*, May, 1845. As will appear later, when the prospect of annexation seemed to have become a certainty, England and France notified Texas that they should expect her treaties with them to be observed. Such a notification would have been uncalled for had it been certain that by law she would carry her foreign relations with her into the Union; and the evident purpose was to make sure, if possible, by a suggestion of opposing annexation otherwise, that such should be the case in these specific instances. Texas merely replied that the matter in question would rest with the United States, which would no doubt be disposed to pursue an acceptable course; and England and France did not question this view of the case.

<sup>21</sup> *E. g.*, Jay, Mexican War, 105.

Akin to these arguments against the treaty was the demand that Mexico's assent be obtained. Insurmountable objections to asking her concurrence have already been pointed out, and Buchanan suggested still another difficulty. England is opposed to our possessing Texas, he said, and her influence with the Mexican government is very powerful. Therefore that government, even were they disposed to acquiesce, would be prevented from doing so; and to request their assent would be to invite Great Britain not only to interfere in our affairs, but to interfere in such a manner that we could not hold her responsible. Aside from the danger of English influence, however, every man could see for himself that Mexican consent could not be obtained, if at all, without long bargaining and many sorts of complications.

In reality there was one complete and simple reply to all the objections growing out of the relations then existing between Texas and Mexico. Theoretically the state of hostilities continued still; and to be free from the danger of costly annoyances as well as obtain a legal title to her possessions, Texas was intensely anxious to have it in due form terminated. But actually that country was independent, and her revolutionary struggle had ended. Pin-pricking is not war, and for eight years nothing that could be called by the latter name had been waged on her soil. Not only the American, but the English, French and Mexican governments had long since become satisfied that she would never be a part of the mother-country again. No thoughtful man anywhere dreamed of such an event. Every one could perceive that even if her own strength seemed comparatively small, the apparent superiority of her enemies was unsubstantial, that she had friends who would not idly see her crushed, and that she possessed the means of purchasing—at a heavy cost perhaps—whatever aid might be needful. She occupied essentially the same position as Mexico had occupied for a period of fifteen years, during which she had been regarded by herself and by all other nations except Spain as sovereign.

So far as the war continued, it did so merely because the Mexicans refused to accept formally the patent facts; and logically, since they declared over and over again with full sincerity that never, never should the ungrateful rebels be acknowledged, Texas could not possibly obtain peace except by annihilating Mexico, in which case there would be the absurdity of a non-existent nation destroying one that existed, and the still more ludicrous corollary that now,

having extinguished the only possible source of an indispensable recognition, Texas never could become a nation. Such was the destination of those who preferred theory to fact. Benton and others, to be sure, who argued that a war still existed, endeavored to escape by admitting that a period might come before long when it could be said—regardless of formalities—to have ended. But if eight years of actual independence, the concurrent opinion of the best informed cabinets, and the unanimous judgment of impartial observers could prove nothing, what could a few more months or even a couple of years demonstrate? Benton's and Van Buren's view that although such a time might soon come, it had not yet arrived, was evidently dictated by the necessities of their position; and it was the duty of the American Senate to hold, as the courts hold, that even rights can be outlawed, and that when this stage has been reached, assertions cannot revive a claim; and then to conclude that as Texas was now evidently independent, her revolutionary war must have come to an end in law as it had in fact.<sup>22</sup>

Doubtless it is just, as well as charitable, to believe that many of the Senators failed to perceive the strong points they denied or ignored; but some considerations were too plain to be overlooked. In both parties reigned a marked unwillingness to allow John Tyler—especially John Tyler as a Presidential candidate—to have the credit of acquiring Texas; and his term had so nearly elapsed that his power of patronage counted but feebly on the other side. The treaty was technically Calhoun's, and the Whigs and Van Buren men feared that a ratification of it might give its ostensible author a dangerous prestige. Northern anti-slavery sentiment, which Calhoun's Pakenham letter made specially potent, signified a great deal, and it was represented by Governor Hammond and many others as the real cause of the adverse decision. Closely allied to this feeling was a dread of increasing the political power of the South, and enabling that section to control the government, enjoy the offices and destroy the tariff. The treaty had, moreover, become a strictly party question, owing primarily—as Henderson reported and as we have observed—to the attitude of the Whigs. In June Clay would

<sup>22</sup> To this line of argument it was objected that the independence of Texas, resting largely upon foreign support, was not real. But England would not have acknowledged the United States in 1783 had we not been supported by France and Spain. The same thing has been true in numerous instances; and perhaps Belgium, Holland, and Denmark are nations only because any attempt to absorb them would be resisted by other countries as well as by themselves. Of course only the principal points of the debate can be taken up here. Many tedious pages would be required merely to state all of them.

not have penned his Raleigh letter, Henderson believed; but that letter had been written, the Whig convention had been silent on the topic, the Democratic platform had been strong for Texas, and it was impossible—politically speaking—for the Whig Senators to disavow their captain and follow the banner of the opposing party. Doubts existed also as to the expediency of extending the area of the United States, increasing the national debt and incorporating such people as the Texans were by many thought to be. In the opinion of not a few, the fact that a disputed region was claimed by Texas made the danger of trouble with Mexico peculiarly real; and there was some practical fear that war might result from annexation. It cannot be doubted that a very natural objection existed in the Northeast, as in the case of buying Louisiana, against an extension of territory that would lessen the importance and political influence of that section. There was a general distaste for Tyler's method of bringing about the treaty,—mainly due to his unpopularity; there was a repugnance to his use of the military and naval forces of the United States in the interest of Texas; and some objections to the terms of the treaty were felt. Cave Johnson wrote about the middle of May that he understood the Democratic Senators favored annexation, but for substantially these last reasons opposed the treaty; and Ingersoll, chairman of the committee on foreign affairs, stated in the House of Representatives that in the way it was brought about lay the true cause of its rejection. Alexander H. Stephens and six other Congressmen from his section exerted themselves against it on the ground that it did not secure the right of all States formed in Texas below the Missouri Compromise line to enter the Union with slavery. Finally, in the opinion of the British minister at Washington, "One thing that greatly contributed" to its failure was "the absence of all interference, at least open interference, in opposition to it on the part of England and France." Had ratification been seen to be possible, no doubt many friends of annexation would have given up their objections; but with a practical certainty on the other side they allowed their likes and their dislikes to have full sway.<sup>23</sup>

<sup>23</sup> Calhoun, speaking in the Senate on Feb. 12, 1847, said that the treaty "shared the fate that might almost have been expected from the weakness of the administration" (Works, iv., 334). (Feared) Jackson to Lewis, April 8, 1844 (conveying information received from Walker): Ford Coll. (Hammond) N. Y. *Tribune*, Dec. 2, 1844. (Party question) Van Z., [No. 122], June 10, 1844. Hend. to Jones, June 2, 1844: Jones, Memor., 356. Johnson to Polk, May 16, 1844: Polk Pap. Ingersoll, Jan. 3, 1845: *Cong. Globe*, 28 Cong., 2 sess., 84. (Stephens)

In the above analysis, it will be noted, real opposition to the acceptance of Texas makes but a very small showing. The concomitants rather than the essentials of the treaty caused its rejection. This was highly significant. Van Zandt reported to his government two days after the Senate voted, that a majority of those in the negative desired to see the step taken at some future day; while the Mexican consul at New Orleans, who had excellent means of informing himself as to the situation at Washington and kept a very close watch upon the matter, assured his chief that both parties really favored annexation, each of them desiring the credit of effecting it. Indeed, on learning the treaty had failed, he predicted that it would be submitted to Congress and be ratified; and Pakenham concurred with his Mexican colleague in believing that the action of the Senate had not settled the question.<sup>24</sup>

For Texas the result was on the whole rather fortunate. The treaty accepted her merely as a Territory, and appeared, since the American people did not seem to have decided in favor of annexation, to receive her, as it were, through a back door. Moreover under it this country might have partitioned her area at its will, and perhaps have made the abolition of slavery a prerequisite for admission to statehood. So far as the American Union was concerned, however, there was less opportunity for congratulation. Some of the reasons for the Senate's action were certainly far enough from patriotic, and it is not easy to see how any of them could stand against the value of that territory, the dangers arising from British and French exertions, and the likelihood—or at least the strong possibility—that if not annexed at this time Texas would remain permanently independent, and prove a cause of serious injury to us. It was not hard, perhaps, to believe the United States would be able to protect themselves against all mischances, and to hold that our weak neighbor could be brought within the pale at any

Amer. Hist. Rev., viii., 93. Pak., No. 76, June 27, 1844. A well-known historian says the Senators felt that Tyler and Calhoun had shown a lack of consideration for them by presenting the treaty as a *fait accompli*. If so, they were unreasonable, for (1) the administration had taken pains to prepare the public for the treaty, (2) the Senators knew well enough some time in advance what was afoot, (3) an avoidance of publicity was highly important, and (4) the administration had full authority under the constitution to negotiate in secret (which the critic admits). The same author says that the Executive put pressure upon the Senate by saying, "Now or never"; but if such was the President's opinion (as no doubt it was), growing out of circumstances known to him, he owed it to the country to state as much.

<sup>24</sup> Van Z., [No. 122], June 10, 1844. Mex. consul, N. Orl., No. 36, May 23; No. 58, June 11, 1844. Pak., No. 76, June 27, 1844.

moment, and one must hope that such views partially explained the course of Clay and most of those on his side of the question; but considerations of this order were fitter for the platform and the daily press than for the Senate, and they could not excuse public men for playing party and personal games with a great issue. In all probability had Clay and Calhoun, Benton, Van Buren and Webster acted as patriots and statesmen, the treaty could have been amended until fairly satisfactory to the North and then promptly ratified, without giving Tyler an undue political advantage or seriously affecting the balance of the parties; and the conscientious anti-slavery men, for their part, might have seen that the absorption of Texas was not only just and expedient but inevitable, and after making the best fight possible for their convictions, might have arranged on good terms with the eager annexationists.

The rejection of the treaty, it cannot be denied, assisted those Texans who desired to pursue a career of national independence, gave England and France an opportunity for deeper intrigues with Texas and Mexico, and exposed the United States, as we shall see, to a very imminent danger of having to choose between humiliation and misfortune on the one hand and a conflict with those powers and Mexico on the other. It also favored the Democratic party and the South, since it made annexation a prominent and somewhat influential issue and a terrible stumbling-block to Henry Clay in the Presidential campaign; and perhaps the opposition that caused the failure of the treaty was responsible for the war that soon came upon us,—first, because it encouraged Mexico to refuse our offer of accommodation; and secondly, because the action of the Senate postponed a settlement of the difficulty with her until she had far more reason than at this time to count on the support of England against us. But for a while, at least, the victors felt highly pleased, and John Quincy Adams remarked in his diary that the repudiation of the treaty had delivered the United States, “by the special interposition of Almighty God,” from “a conspiracy comparable to that of Lucius Sergius Catalina.”<sup>25</sup>

<sup>25</sup> Adams, *Memoirs*, xii., 49. Mexico lost heavily, perhaps, for W. B. Lewis, after conferring with Tyler, understood that the intention was to leave her the Santa Fe valley and her settlements on the Rio Grande (to Jackson, April 18, 1844: Jackson Pap., Knoxville Coll.). From this point of view the rejection of the treaty benefited the United States, though at the expense of a war. (Offer of accom.) Chapter xiv.



## XIV

### THE ISSUE IS RE-SHAPED

ONE of the first things reported by Henderson after his arrival at Washington was an assurance on the part of the American government that, in case of necessity, the project of annexation could and would be carried through—Texas assenting—by a legislative act. On the day the treaty was signed Van Zandt wrote that the President had promised, should it not be ratified, to urge immediately upon Congress the passage of an equivalent law, based upon that provision of the constitution which empowers the two Houses jointly to admit new States. The prospect of such action on the part of the Executive was made known in the daily papers, possibly with a hope of influencing the Senate, in the interval between the signing of the treaty and its presentation to that body, and after its rejection was virtually certain the *Madisonian* put forth a definite announcement of the same nature. Blair, while in great distress over the censures that greeted Van Buren's letter, thought its effect might be counteracted by having the ex-President's friends offer an annexation bill in Congress, and endeavored to bring this about. Thus the expedient of acquiring Texas by a joint resolution, although opponents of annexation asserted it had never been dreamed of until the one method which they considered proper had been rejected by the Senate, was unquestionably in reserve all the time. During the first fortnight of May, Van Zandt became afraid that should the treaty fail, not enough of the session would be left for the passage of a bill on the subject; but by the middle of the month the Philadelphia *Ledger* represented the advocates of annexation as full of spirit, expecting to hear by the tenth of June that Mexico had assented and the cession of San Francisco was probable, and counting upon this news as forcible enough to drive a joint resolution through Congress during the remaining week.<sup>1</sup>

Tyler for his part, though perhaps temporarily depressed by the

<sup>1</sup> See General Note, p. 1. Hend. to Jones, March 30, 1844: Jones, Memor., 333. Hend. and Van Z., April 12, 1844. *Nat. Intell.*, April 19, 1844. *Phil. Ledger*, April 20, 1844. *Madis.*, May 24, 1844. Blair to Jackson, Sept. 28, 1844: Jackson Pap. Van Z., No. 120, May 11, 1844. *Ledger*, May 15, 1844.

fate of the treaty, did not lose faith in the project. It appeared to him, as he told Jackson, "so mighty a question as ultimately to look down all opposition." In other language, he doubtless believed that enough Whigs to ensure success would sooner or later be compelled by the popular sentiment of their States, as had been the case with Henderson, to support it. Accordingly, two days after the Senate rejected the fruit of his negotiations, he sent a Message to the House of Representatives, together with the treaty and all the documents relating to it that had been transmitted to the Senate.<sup>2</sup>

While this matter was before the other branch of the national legislature, he explained, I did not think it proper to consult you regarding it. But Congress has power by "some other form of proceeding to accomplish everything that a formal ratification of the treaty could have accomplished"; and I feel it my duty to lay before you all the facts in my possession that would assist you "to act with full light," if you desire to take any steps. In my judgment the question is one of "vast magnitude" and "enduring character." Within no long period Texas is capable of almost or quite doubling the exports of this country, thereby making an "almost incalculable" addition to our carrying-trade, and giving "a new impulse of immense importance to the commercial, manufacturing, agricultural, and shipping interests of the Union." At the same time, the acquisition of that country would afford protection to an exposed frontier, and place the United States as a whole "in a condition of security and repose." The matter is therefore in no way sectional or local, but has "addressed itself to the interests of every part of the country and made its appeal to the glory of the American name."

"I have carefully reconsidered the objections which have been urged to immediate action upon the subject," continued the President, "without in any degree having been struck by their force." We could not have asked the assent of Mexico, for such a course not only might have failed but might have been regarded as "offensive" to her and "insulting" to Texas; and a negotiation to that end would have implied that our recognition of the latter country "was fraudulent, delusive, or void." Only after acquiring the territory could we have any discussion with Mexico as to its boundary;

<sup>2</sup> Tyler to Jackson, April 18, 1844: Jackson Pap. Richardson, Messages, iv., 323. The accompanying documents included those which the Senate had seemed determined to suppress. The Message was dated June 10 and received in Congress June 11.

and the question of limits was purposely left open, with a view to securing a friendly and pacific settlement with that power. As for our treaty with her, it is merely commercial; and it would no more be violated by our receiving Texas than would our compacts with most of the nations of the earth. The argument against the extension of our territory was urged with great zeal against the purchase of Louisiana, and its futility was long since "fully demonstrated." Moreover since that day the use of the steam-engine has brought the region beyond the Sabine, for all practical purposes, much nearer to the seat of government than was Louisiana in 1803.

After discussing these objections Tyler brought up certain points of special urgency. Annexation, he said, "is to encounter a great, if not certain, hazard of final defeat if something be not *now* done to prevent it." Upon this point your serious attention is invited to my Message of May 16 and the accompanying documents, not yet made public by the Senate. The letters bearing no signature are from "persons of the first respectability and citizens of Texas," who have "such means of obtaining information as to entitle their statements to full credit." Nor has anything occurred to weaken, but on the contrary much has occurred to support, my confidence in the belief of General Jackson and in my own belief, expressed at the close of that Message, "'that instructions have already been given by the Texan Government to propose to the Government of Great Britain, forthwith on the failure [of the treaty], to enter into a treaty of commerce and an alliance offensive and defensive.'" Particular attention is also invited to the recent conversation between Brougham and Aberdeen in the House of Lords on the subject of annexation. "That a Kingdom which is made what it is now by repeated acts of annexation . . . should perceive any principle either novel or serious in the late proceedings of the American Executive in regard to Texas is well calculated to excite surprise." It may be presumed that Great Britain would be the last power in the world to maintain that a nation has no right to part with its sovereignty. Certainly "the commercial and political relations of many of the countries of Europe have undergone repeated changes by voluntary treaties, by conquest, and by partitions of their territories without any question as to the right under the public law"; and it cannot be pretended that the agreements which Texas has made abroad forbid her to join the American Union. We leave the European powers exclusive control over matters affecting their conti-

ment, and we expect a like exemption from interference. If annexation occur, it will result from the "free and unfettered action of the people of the two countries; and it seems altogether becoming in me to say that the honor of the country, the dignity of the American name, and the permanent interests of the United States would forbid acquiescence" in any foreign interposition. The great issue now is not as to the manner of accomplishing annexation, concluded the President, but "whether it shall be accomplished or not"; and "the responsibility of deciding this question is now devolved upon you." The Message was characterized by the *New York Herald* as "a very clear, forcible, and manly exposition" of the matter; and it would be hard indeed to give a different verdict.<sup>3</sup>

On the same day Benton asked leave of the Senate to bring in a bill providing for the annexation of Texas, and spoke in substance as follows: I have had this matter in mind for a quarter of a century. Now that the treaty is out of the way, it is proper for the true friends of the cause, of whom I am the eldest, to resume their task. The consent of Congress is necessary for the admission of new States, and this consent—when there is time to obtain it—should precede the negotiations, for otherwise how can the treaty-making power promise admission to the Union? Individual opinions are not an adequate basis for such a pledge; and besides how could they be solicited by the President without compromising the independence of Congressmen, and opening the door to collusion between the executive and the legislative departments? The consent of Mexico is necessary at present, but may cease to be so; and it is for Congress to decide regarding that point. To break off the subsisting armistice and thus frustrate the efforts of Texas to obtain peace would be a "hideous crime"; hence we must await its expiration. Further, it is good policy for us to remain on friendly terms with Mexico, so as to conserve our trade there; and it is for her interest to give her assent. If on the other hand she affects to contemplate re-conquest and keeps up a desultory war, Congress will determine what course to take. Should its decision involve a conflict, this would at any rate have been brought about in a constitutional manner. Such was Benton's argument. The bill itself provided that the boundaries of Texas, as annexed, should not include the territory to which her claim was disputed; that a majority of her people should give their consent to the surrender of sover-

<sup>3</sup> *Herald*, June 15, 1844.

eignty; that a "State of Texas," of a size to be fixed by itself but not larger than the largest existing member of the Union, should be admitted; that the rest of the acquired area should form the "South-west Territory"; that slavery should be prohibited in one-half of this Territory; and that the assent of Mexico should be obtained, but could be "dispensed with when the Congress of the United States might deem said assent to be unnecessary."<sup>4</sup>

It hardly needs to be said that such a bill could not please the ultra friends of Texas. The New York *Aurora* called it a "stupid, anti-republican project." In the eyes of the Richmond *Enquirer* it was a "disgraceful trick and humbug." Jackson declared that its provision for asking the consent of Mexico was degrading to our national character, which, after our official assertions that Texas had become an independent nation, it really seemed to be. As the *Globe* admitted later, the bill contained elements that precluded its passage; but it was taken up and argued again by its author on the thirteenth, and then by a strict party vote of twenty-five to twenty—except that one Whig and one Democrat changed sides—was laid on the table.<sup>5</sup>

Meanwhile a joint resolution, moved by McDuffie about three weeks earlier in an executive session, had come before the Senate in due course on June 11. This provided in substance that the treaty of annexation should be ratified by Congress, as "a fundamental law entered into between the United States and Texas," as soon as the supreme executive and legislative departments of the latter country should accept and confirm the compact; and four days later McDuffie rose to advocate his plan. A joint resolution passed by the whole Congress and signed by the President, he said, would be a legitimate act and still more solemn than a treaty. The Executive was guilty of no disrespect to the Senate, as some have charged, in proposing such a measure after our vote on the subject, for this body has no exclusive authority in public affairs. The question of annexation has not been disposed of by our action. We have killed the treaty, but "a ghost is sometimes more terrible than a living man." Murdered Caesar appeared to the leading conspirator against him and said, "I will meet you, again, at Philippi." If the ghost of this treaty—if the ghost of Texas—should present itself here

<sup>4</sup> *Cong. Globe*, 28 Cong., 1 sess., 653; Benton, *Abr. Debates*, xv., 142. Properly speaking, there was of course no "armistice."

<sup>5</sup> *Aurora* and *Rich. Enq.: Nat. Intell.*, Jan. 17, 1844. Jackson to Blair, June 7, 1844; Jackson Pap. *Globe*, March 26, 1845.

to haunt the midnight couch of any Senator, to whom could it exclaim with more propriety than to the gentleman from Missouri, "Et tu, Brute?" Benton's assumption that he is the true friend of Texas would be offensive, could it be taken seriously. He thinks that all the rest of us should go to school to him in statesmanship; but the truth is that he occupies a very awkward position, and is going to find himself in very strange company, for he opposes the candidate of his own party on this question. He denounces the President for making public certain documents [accompanying his message of May 16] from which the Senate had not removed the injunction of secrecy; but the Executive had a perfect right to prevent the suppression of papers which the people are entitled to see. He denounces Texas for negotiating with the United States during the armistice; but an armistice is merely an agreement not to make war for a specified time. He thinks it absurd to suppose that Great Britain would enter into an offensive and defensive alliance with a small nation like Texas; but while it would of course be ridiculous for her to expect aid from that republic in her European conflicts, it would be very natural to make such a treaty for the purpose of guaranteeing the independence of Texas in return for commercial and other advantages. He inveighs against the plan of annexing that country without the concurrence of Mexico; but his own bill proposes to do this whenever Congress shall see fit.<sup>6</sup>

Yes, retorted Benton, but my bill refers the question of war to Congress, where it belongs, whereas the negotiators of the treaty made war themselves—unconstitutionally, perfidiously, clandestinely and piratically—upon a friendly nation. My bill gives Mexico an opportunity to do what it is for her interest to do,—that is, to assent. The President's Message to the House of Representatives, like Genet's proclamation, is an attempt to excite insurrection against a part of the government. McDuffie pretends to answer me; but regarding the vital objections to the treaty he says nothing. He charges me with making anti-annexation speeches, but what I have done is to make anti-treaty speeches; and the treaty was not drawn for the purpose of obtaining Texas, but, by bringing that country in as a Territory with a view to laying it out in slave States, to prepare openly for another Missouri question, and pave the way for a dissolution of the Union. Troops have been concentrated in the South on an unconstitutional pretext; our ships and soldiers have been

<sup>6</sup> *Cong. Globe*, 28 Cong., 1 sess., 661, 688; App., 588.

placed under the authority of a foreign President; and an excuse is found in a letter of Aberdeen's for an agreement previously made. The slavery correspondence with Pakenham was designed to prevent annexation and thus ensure disunion. It is against these things—not against the acquisition of Texas—that I have spoken. McDuffie thinks I shall find myself in strange company. Well, so will he. He will find himself in the company of Jackson; and when the Old Hero discovers his treasonable intentions, let him beware! "The tiger will not be toothless." And here, Mr. President, I must speak out. The country is in danger. Disunion is at the bottom of this long concealed Texas machination. Political intrigue and financial speculation co-operate, but disunion lies at the bottom of it; and "I denounce it to the American people." A new confederacy, stretching from the Atlantic to California, is "the cherished vision of disappointed ambition." The Senator threatens me with a ghost (upon this Benton approached McDuffie and addressed him personally); but let me tell him that if I find myself at Philippi, I shall not, like Brutus, fall upon my sword, but I shall save it for another purpose,—“for the hearts of the traitors who appear in arms against their country.” At this he struck a heavy blow on McDuffie's desk; but the latter, now sick and emaciated, though he met the gaze of his powerful antagonist with a flashing look, made no answer to the charge of treason.<sup>7</sup>

McDuffie's joint resolution represented of course the wishes of the administration, since it merely embodied a new method of carrying the old treaty; but for that very reason it entered the lists under unfavorable auspices. Moreover it conceded nothing to the opposition. They were invited to accept under another name the particular thing which they had just rejected. At first it was said that Benton had intimated an intention to endorse the plan; but this was a little before the meeting of the Democratic convention, and many suspected that his design was to mislead the annexationists as to the attitude of Van Buren and himself. At all events he did not support the measure, and it was laid on the table by a vote of twenty-seven to nineteen,—certainly a verdict sufficiently unfavorable, but noticeably less emphatic than the treaty had just received.<sup>8</sup>

<sup>7</sup> *Cong. Globe*, 28 Cong., 1 sess., App., 607. It will be noted that Benton offers a new theory here as to the disunion plan of his opponents. His assertion that our troops had been placed under Houston was only a figure of speech. Blair to Jackson, July 7, 1844: Jackson Pap. Rich. *Whig*, June 18, 1844. *Niles*, lxvi., 295.

<sup>8</sup> Van Z. and Hend., No. 121, May 25, 1844. *Cong. Globe*, 28 Cong., 1 sess., 661. McDuffie's bill was laid on the table June 11, but was taken up again on the 15th in order to give him an opportunity to reply to Benton.

The session of Congress was now almost at an end. Not only the friends but the enemies of annexation felt anxious. The Washington correspondent of the New York *Evening Post* had written some time before that according to the general opinion the President would occupy Texas after the adjournment of the legislative branch, and so bring on a war. Louisiana talked of making a treaty of her own with that country. Tyler was thinking, it was commonly supposed, of having an extra session of Congress in September, and recommending the passage of a joint annexation resolution. The friends of Texas felt determined to press the subject unless she herself should decline, believing that a very large majority of both Houses favored the measure, but finally, counting probably on the election of Polk, they thought it better to wait for the next regular session; and some enemies of the cause, particularly those represented by the *Evening Post*, expected or pretended to expect, that the matter "would all quietly evaporate in talking and scribbling." So ended the first session of the Twenty-eighth Congress.<sup>9</sup>

Meanwhile Thompson had proceeded on his way to Mexico, bearing with him a despatch from Calhoun to Duff Green's son, who was now acting as chargé at that post. In this document, dated April 19, the Secretary of State announced that the treaty for annexation would be laid before the Senate without delay, and directed Green, in making this fact known to the Mexican government, to give "the strongest assurance" that we had no feeling of "disrespect or indifference to the honor or dignity" of that country, and should greatly regret it were our action to be interpreted otherwise; that our step was a measure of self-defence, forced upon us by the policy of England regarding abolition in Texas; that England had the power to carry her point there, and not only the neighboring States but the Union as a whole would thus be endangered; that as the only way to fend off this peril the American administration had negotiated the treaty, acting thus "in full view of all possible consequences, but not without a desire and hope that a full and fair disclosure of the causes which induced it to do so would prevent the disturbance of the harmony subsisting between the two countries," which the American government were truly anxious to preserve; that the President wished to "settle all questions between the two countries which might grow out of this treaty,

<sup>9</sup> *Post: Nat. Intell.*, May 24, 1844. *Nat. Intell.*, May 22, 1844. (Thinking) Raymond to Jones, June 5, 1844: Jones, *Memor.*, 359. Van Z., No. 123, June 13, 1844. *Post: Nat. Intell.*, June 17, 1844.



or any other cause, on the most liberal and satisfactory terms, including that of boundary;" that the United States would have been glad to proceed in the matter with the concurrence of Mexico, but with all their respect for her and an "anxious desire that the two countries should continue on friendly terms," they could not make what they "believed might involve the safety of the Union itself depend on the contingency of obtaining the previous consent" of a foreign power; and that they had done all they could to render the terms of the treaty "as little objectionable to Mexico as possible,"—for instance, had left the boundary question open, "to be fairly and fully discussed and settled according to the rights of each [nation], and the mutual interest and security of the two countries." To support the despatch, Calhoun enclosed copies of Aberdeen's letter and his own reply to Pakenham.<sup>10</sup>

Thompson, however, did not proceed at once to his destination. Though studiously described by the American government as a bearer of despatches, he was not simply a messenger, for his letter of introduction to Green directed the latter to take him into consultation; and the British minister in Mexico reported that as soon as possible, after landing at Vera Cruz on the fourteenth of May, he turned his steps toward Santa Anna's country-house at the National Bridge, not very far from the coast. The truth appears to be that Almonte, while declining to negotiate on the subject himself, had encouraged Calhoun to believe that his government, looking upon Texas as irretrievably lost, would accept a pecuniary consideration from the American Union in order to lessen the misfortune, and had actually transmitted to them a suggestion of this kind. His purpose, the British minister concluded after talking with him more than once, was "to gain time, and perhaps to obtain some advantage for His Government, in the acknowledgment which such an offer on the part of the United States would convey, of a still existing right in Mexico over Texas." Thompson was therefore directed—according to the best information Pakenham could obtain—to offer Mexico \$6,000,000 or even, if California could be had, \$10,000,000 for her complaisance. This amount, however, was not to be paid in cash, but was to be an offset against the pending American claims; and any one acquainted with Santa Anna's fondness for the ring of solid gold and the confidence that he felt in his own ability

<sup>10</sup> To Green, No. 1, April 19, 1844: Sen. Doc. 341, 28 Cong., 1 sess., 53. As Mexico stood for the abolition of slavery, Calhoun's line of thought was peculiarly infelicitous; but this was a very subordinate matter and unavoidable.

to evade obligations, could easily predict how such a proposal would strike him.<sup>11</sup>

Definite information on the point is contained in a letter which that personage addressed without delay to the Mexican Secretary of Foreign Relations. According to him, Thompson informed the Comandante General of Vera Cruz that he had been particularly instructed to obtain a personal interview with Santa Anna, and on arriving at the country-house with his interpreter spoke substantially in these terms: The President of the United States recently made a treaty with commissioners on the part of Texas for the annexation of that territory to the Union, and submitted the treaty to the Senate; but when the subject came to be considered in that body, it was regarded as indispensably due to the most rigorous justice to make no final decision without first having opened negotiations with Mexico, as required by the relations of amity existing between the two nations. The American government were impelled to sign the treaty by the law of self-preservation, in view of the intrigues set on foot by England to acquire a preponderance in Texas. They were further impelled to do so by the commercial interests of the United States, which have suffered enormously in consequence of the illicit introduction of European goods across the southwestern frontier, amounting the past year—according to definite information—to at least \$2,000,000. But it is not the intention of the President, nor does the Senate purpose, to act definitively upon a subject of such grave importance without first asking the consent of this Republic [*sin, como se ha indicado, contar con la voluntad de esta República*], and in case it be obtained indemnifying her amply for the territory acquired [*y en tal caso ofrecerle* etc.]. Indeed under the circumstances all friends of justice and all persons of foresight and judgment agree, that the first step to be taken is to secure the consent of Mexico; and although, for the reasons already suggested and for others, public sentiment in the United States is strongly favorable to annexation,—so strongly that even the opposition have felt compelled to give way,—yet this is not the case in such a degree as to render the government unmindful of what is required by the national honor and by equity. It is thought to be for the interest of Mexico herself, as well as the United States, to proceed at once to determine the common boundaries, even though in so doing she should be obliged

<sup>11</sup> *Madis.*, July 23, 1844. *Green*, No. 5, May 30, 1844. *Bankhead*, No. 34, May 30, 1844. *Pak.*, Nos. 22, 36, 46, April 14, 28; May 13, 1844.

to give up a portion of the territory over which she possesses rights of ownership [*territorio sobre el cual tiene derechos por ser de su pertenencia*], in which case a corresponding indemnity would certainly be paid to her; and the boundary thus finally adjusted would be placed under the guaranty of the United States, or even (should it be thought necessary) under that of some of the European powers, so that there might be established a settled state of things, free from all foreign influence and from the pernicious effects of the smuggling already mentioned, to promote which there is reason to fear that all the chief seaports of Texas will eventually—should she remain independent—be declared free cities, in order that the vessels of every nation may enter without the least hindrance.

The population of Texas, continued Thompson in Santa Anna's narrative, has undergone a remarkable change, so that for one North American it now contains five natives of other countries. The rights of Mexico over that territory cannot possibly be denied,—an important basis for the proposed negotiation. In this view of the subject, it would be highly important to lay aside, as though it had never existed, the immediate *Texas question*, properly so called, and proceed at once to the settlement of boundaries without regard to the character of the population. In conclusion, for all these reasons combined the Executive of the United States has thought this a favorable juncture to bring the matter before the authorities of Mexico, and to arrange the preliminaries of a convention which, with all due regard to equity and justice, might smooth over the difficulties found in their way by the American government, consulting at the same time the mutual and reciprocal interests of both republics, and having always in view one great object common to both,—to wit, the interests of this hemisphere, which ought to be maintained by the firmest union and most incorruptible good faith against the machinations, arts and ambitious views of every European power to which these may be attributed.<sup>12</sup>

To all this reasoning Santa Anna represented himself in his letter as replying in the following manner: If the clandestine traffic carried on through Texas is prejudicial to the interests of the United States, they have only themselves to blame, since they afforded protection to the adventurers gathered in that quarter, even to the point of recognizing them as an independent nation. The

<sup>12</sup> Calhoun told W. B. Lewis that S. An. received Thompson "rather kindly" (Lewis to Jackson, July 19, 1844: Jackson Pap., Knoxville Coll.). S. An. to Bonaparte, May 17, 1844: *Diario*, June 8, 1844.

President of the United States, in my opinion, has not acted very discreetly in negotiating for the annexation of the territory with those who are just now in possession of it, since—being mostly a portion of the American people, though they have assumed the name of Texans—they had no authority to treat for the disposal of a country not belonging to them. As Mexico, deeming her rights unquestionable, has resolved to maintain and never to relinquish them, she deems inadmissible the proposition of the United States, as well as every other idea of ceding territory to them. In fact she is determined to undertake afresh, and to prosecute with vigor, the war against Texas. . . . If, then, the American government desire in good faith to put an end to the disorders which reign there and cause the United States so much concern, the best method would be to induce that rebellious province to recognize the supremacy of the mother-country. In the maintenance of her rights Mexico will wage war to the last; and since nations never die, the right of re-conquering Texas will be transmitted to posterity. Such is the sentiment of her government and of her people. As for a settlement of the boundaries of the two countries, they have been distinctly ascertained and established on former occasions . . .; and Mexico will never consent to the annexation of the territory in question to the United States.

Just how much of this account should be accepted is of course an interesting question. The mere fact that Santa Anna made such a statement counts practically for nothing. One familiar with his methods, with the state of politics in Mexico down to that moment, and with the lines of thought on the subject followed by public men there, finds clear enough evidence that a considerable portion of the ideas attributed to his visitor emanated from a Mexican rather than from an American mind. On the other hand, a person who has read the correspondence between our State department and our representatives in that country from the beginning until June, 1844, readily detects a number of familiar considerations. Thompson's report of the interview seems to have been entirely verbal. He did, however, in consequence of the publication of this narrative, address a letter to the *National Intelligencer*, declaring that Santa Anna's account of the affair was erroneous in many particulars; that he did not represent himself as a diplomatic agent; that when asked whether he had any specific instructions, he referred the inquirer to his despatches; that he said "nothing inconsistent

with the contents of the despatch addressed to Mr. Green . . . and nothing but what was consistent with the message of the President of the United States, in reply to the resolution of the Senate of the thirteenth of May last," in which Tyler had stated that no one had been sent off to secure the assent of Mexico to the annexation treaty. In commenting on this statement, the editors of the paper observed that by implication Thompson admitted the substantial accuracy of Santa Anna's account. This is probably going too far; but it seems quite likely that the bearer of despatches made propositions regarding the surrender of Texas—and probably the surrender of northern California also—in consideration of certain financial offsets and a certain linking of United States and Mexican policies for mutual advantage against the old world, while it is practically incredible that the claims of Mexico were acknowledged in such a manner as Santa Anna described. Farther than this it would not be safe to go. To accept the Mexican President's version of the matter, one would have to believe that Calhoun sent a message by Thompson astonishingly at variance with his despatch to the *chargé*, with his attitude before the American people, and with his position regarding Texas,—a message that would have given aid to his enemies at home and abroad, thrown confusion among his friends, and mortally offended the Texans; while on the other hand it was plainly for the interest of Santa Anna to represent Thompson's language as he did, and he was perfectly capable of invention.<sup>13</sup>

The bearer of despatches reached the city of Mexico on the twenty-second of May. The next day Green had an interview with Bocanegra, the Minister of Foreign Relations, and proposed that the Mexican representative at Washington should be authorized to receive proposals and open negotiations regarding the boundary between the two countries. Out of this grew a conference between the Acting President on the one side and Green, supported by Thompson, on the other. The full account of this interview was made orally by the latter on his return to the United States; but the *chargé* transmitted a brief protocol, from which it would appear that each man attempted to grapple his opponent advantageously;

<sup>13</sup> The account reads as if Santa Anna had first written down what Thompson said and then had inserted changes and interpolations. Thompson to Gales and Seaton, Aug. 7, 1844: *Nat. Intell.*, Aug. 12, 1844. According to Van Zandt (No. 125, June 18, 1844) Thompson stated that he submitted no definite proposition to the Mexican government; and it is easy to believe that Santa Anna's attitude gave him no encouragement to do so. Of course the subject of ceding territory could be disguised under that of adjusting the boundary.

that is to say, Green endeavored to commit the other side to the idea of negotiation, and the Acting President undertook to force Green to either recognize the existing treaty of limits or distinctly repudiate it. Mexico undoubtedly had not the least intention of acceding to the wishes of the United States, and under such circumstances the interview was inevitably fruitless.<sup>14</sup>

The course of the Mexican government, our chargé said, was "entirely owing to the fact" that they believed the treaty for the annexation of Texas would be rejected by the Senate, and counted on "our internal dissension growing out of the question of slavery." There were, however, concurrent motives of a domestic sort. Santa Anna still needed a strong army to support him, still found the Texas difficulty an opportune excuse for the necessary expenditures and convenient peculations of the war department, and had good reason to think that any step of his toward favoring the wishes of the American government would be seized upon by his enemies as the pretext for a revolution. Evading responsibility, he left the ministers to say how the American proposition should be met, but admonished them to settle the matter without delay; and they, whatever their opinion as to the true interests of the country and whatever their hesitation about incurring unpopular expenses, doubtless understood the will of their master and saw as well as he the danger of "truckling" to the United States. In view of Santa Anna's order and an official communication from our chargé transmitting the substance of Calhoun's despatch the cabinet met, and its decision of course was to reject the American overture.<sup>15</sup>

In reply to Green, the Minister of Foreign Relations now drew up a letter which declared that in taking steps to annex Texas the United States had not followed the principles of "reason, political truth, and justice"; and that Mexico had been injured in her rights and outraged in her honor and dignity. Further he asserted that the language used by Calhoun and Green expressly recognized the claims of his country; and instead of consenting to cede anything belonging to her, he repeated the protest of August 23, 1843, that the incorporation of Texas in the American Union would be regarded as equivalent to a declaration of war. Before sending his letter, Bocanegra asked the British representative whether Mexico

<sup>14</sup> Green to Calhoun, No. 5, May 30, 1844.

<sup>15</sup> Green to Calhoun, No. 5, May 30, 1844. (S. An.'s action) Bank., No. 34, May 30, 1844. Green to Bocanegra, May 23, 1844: Ho. Ex. Doc. 2, 28 Cong., 2 sess., 52. Bank., No. 85, Sept. 29, 1844. D. Green to Calhoun, Oct. 28, 1844: Jameson, Calhoun Corr., 975.

would have to stand alone in this position. Bankhead replied that he thought she could count upon the sympathy of England, but that he had no authority to answer the question. Not discouraged, however, by this rather cold comfort, Bocanegra took the plunge and then laid the matter officially before the foreign diplomatic corps, evidently to gain support. About the same time the newspapers, which had been maintaining some reserve in reference to the United States, took their cue from an article that appeared in a journal under Santa Anna's direct influence, and broke forth—to quote Bankhead—"in the most violent strain of invective against the contemplated annexation"; while Green and Bocanegra increased the tension by engaging in a duel of correspondence, each endeavoring to gain points for his country and himself. During the progress of the fight, Santa Anna came up to the capital and assumed the reins of government, thus associating himself with Bocanegra's policy; and he soon proceeded to call upon Congress for 30,000 more soldiers and four millions of money.<sup>16</sup>

Thompson had been expected to be in Washington again within forty or at most forty-five days from the time of his departure. This was perhaps impossible; but at all events, whether it was possible or not, he only reached the capital on the seventeenth of June. That was the day when Congress adjourned, and by accident or design he did not present himself until after the hour of dispersal. Rumors were afloat very soon that Mexico had gladly given her assent, but through one of Calhoun's confidential friends a hint of opposition leaked out. From Vera Cruz information rather more substantial than hints to that effect arrived almost immediately; and it was evident enough before long that the special mission had been a failure. Indeed a Spanish newspaper in New York soon published a despatch from the Mexican government to Almonte, dated May 30, 1844, directing him to "persist" in his protests against annexation, "and especially in that of the twenty-third of August, 1843."

In two significant respects, then, the annexation question had now been re-shaped. It was no longer a diplomatic subject in the keeping of the treaty-making power, but had been placed formally

<sup>16</sup> Bocanegra to Green, May 30, 1844: Ho. Ex. Doc. 2, 28 Cong., 2 sess., 53. Bank., No. 35, May 30, 1844. Bocanegra, circular, May 31, 1844: Sria. Relac. Bank., No. 34, May 30, 1844. Green to Calhoun, June 7, 1844: Ho. Ex. Doc. 2, 28 Cong., 2 sess., 57. Corr. of Green and Bocanegra: *ib.*, 58 *et seq.* Bank., Nos. 39, 41, 43, June 29, 1844.

by the President before the popular branch of Congress and thus indirectly before the people. At the same time it had become clear that opposition and not concurrence on the part of Mexico was to be expected.<sup>17</sup>

<sup>17</sup> *Nat. Intell.*, June 19, 1844. *Niles*, June 22, 1844. *Wash. Globe*, June 18, 1844. (From V. Cr.) *N. Orl. Picayune*, June 11, 1844. *Pak.*, No. 74, June 27, 1844, with the despatch to Almonte.



## XV

### THE ANNEXATION QUESTION IN THE PRESIDENTIAL CAMPAIGN

It now becomes necessary to study the question of annexation as it presented itself to the people, so far as one can judge of that from the indications of a Presidential contest. Under any circumstances the wide induction which an inquiry like this requires would be very difficult; and in the present case it is peculiarly so, because the obtainable information is very incomplete and more or less prejudiced; but some conclusions can probably be drawn with a fair degree of accuracy.

In spite of the way in which it came about and in spite also of much confusing talk, a rather definite issue regarding annexation existed between the two great parties. "It is either Polk and Texas or neither Polk nor Texas," declared Webster. Among the reasons given by the Massachusetts Whig convention for supporting the party candidate was this: "If Clay is elected President, Texas never will be annexed to the United States—whilst if Polk is elected, it will be annexed immediately." Cassius M. Clay defined the issues of the day as, "On one side, Polk, slavery, and Texas, and on the other, Clay, Union and liberty." These were campaign distortions; but any intelligent person could see that the Whigs represented more or less delay, with all the uncertainties it involved, while the Democrats represented active pressure toward annexation, with a reasonable prospect of soon reaching it should they be given control of the government. And the question was not only an issue but a prominent one. According to Greeley's paper, the *New York Tribune*, Polk's claims were distinctly urged, not only in the South but as a rule in the North, on this ground, and in processions and meetings the flag of the Lone Star was "blazoned on high" beside the Stars and Stripes. "If there is any one question which is more popular than the rest with the united democracy, south and north," said the *Register* of New Haven, Connecticut, with natural exaggeration yet considerable truth, "it is the annexation of Texas 'at the earliest practicable period'"; while at the same time, in the North at least, the Whigs also devoted much attention to it and,

said the Portland *American*, "made their most constant and inflammatory appeals on this question."<sup>1</sup>

Probably, however, annexation was somewhat more prominent than important in men's thoughts. There were particular reasons for making it conspicuous. The Texas question should not be overlooked, wrote a campaigner to Polk; the battles, murders and the like excite the people, and I never before handled a subject so valuable for the purpose. The banner of the single star doubled the amount of bunting that could properly be displayed at the head of a column. In the State of New York and perhaps elsewhere Texas was represented in the Whig processions by a flag draped in black and a girl dressed in mourning, and the orators of the day painted sable pictures of the evils that would result from annexation, while in the Democratic parades the fairest maiden of the village, decked out in white and flowers, personated the Sister Republic, and the topic of uniting the two nations was discussed in glowing periods; and precisely because the matter was novel and could be treated so picturesquely, it was sure to be put forward. Fervid appeals to the love of liberty, the hatred of mercenary troops, the distrust of England and the inborn predilection for humanity, benevolence and brotherhood could be made on this theme to almost any extent. Less thrilling but no less effective allusions to the sale of Northern manufactures in Texas and the employment of Northern vessels to transport them were equally available. All capable of reflecting, however, saw that very different and very important matters were also at stake. The Nashville *Whig*, for instance, declared that a majority of the people of Tennessee did not think Tyler's pet scheme should absorb all other issues. The real themes of the campaign, said the New York *Herald*, are the National Bank and annexation, putting Texas in the second place. The Democratic Central Committee of Virginia in making an appeal to the voters in behalf of annexation added, "We do not desire, much less design to sink the other great questions of Bank, Tariff, and Distribution, for the sake even of acquiring Texas"; and Webster, who stumped New York and Pennsylvania, devoted little or no attention to this matter in his speeches.<sup>2</sup>

<sup>1</sup> See General Note, p. 1. Webster, Speech at Boston, Sept. 19, 1844: *N. Y. Journ. Com.*, Sept. 21, 1844. (Mass. Com.) *Mobile Com. Reg.*, Nov. 5, 1844. (C. M. C.) *Wash. Globe*, Sept. 6, 1844. *Tribune*, Nov. 18, 1844. *Reg.*: *Wash. Globe*, Aug. 3, 1844. *Amer.*, Dec. 9, 1844.

<sup>2</sup> Fitzgerald to Polk (in substance), June 8, 1844: Polk Pap. (N. Y.) *Dickinson*: *Cong. Globe*, 28 Cong., 2 sess., App., 321. *Whig: Nat. Intell.*, June 17, 1844.

No doubt there was much real sentiment in favor of the measure. The New York *Evening Post* was said to be about the only journal of its party that did not support it. "The South is up; the cause of Texas is flying like wild-fire over that whole region," exclaimed the Richmond *Enquirer* in June. Yet one must surely doubt, not only the accuracy of such a campaign outburst as this, but the genuineness, in some cases, of the zeal that really could be observed. Not only did party needs call for it, but special machinery for exciting enthusiasm existed and was deliberately set in motion. About the time Congress adjourned a paper was signed by members of the House of Representatives from eighteen States, including three in New England, in which they promised to go home and "use the most active means to bring the question directly before the people to elicit an expression of their opinions in its favour." In view of this, Tyler felt confident that the Democrats of all the States would "cause their voices plainly to be heard upon the question"; and one such piece of machinery, driven by the influence of the executive department, was quite able to produce a noise. The Louisville *Journal* asserted that great efforts were put forth to get up meetings, and characterized the movement as entirely artificial. Much of the talk on this issue at the South, said the New York *Evening Post*, was due to office-holders who desired to please the President or to the speculators in Texas properties. About the middle of May, reported the *National Intelligencer*, an annexation meeting was held at Augusta, Georgia, which—though it had been called a week in advance—only seventy persons by actual count attended. In Alabama also there was coolness regarding the great Southern issue, and the Mobile *Advertiser* of July 23 even announced a reaction. Louisiana, as we shall discover, was by no means eager. Mississippi on the other hand appeared to be strongly for the cause, and the fact that no duels occurred would seem to imply that only one opinion existed; yet the eloquent Prentiss lifted his voice in opposition, and multitudes crowded to hear him. Almonte thought in September that "even the most ignorant classes" were beginning to turn away from the policy of the government; and within a week the London *Times* informed its readers that the subject had now only "some little interest" in the United States.<sup>3</sup>

*Herald*, Aug. 31, 1844. (Va. Com.) Richmond *Enq.*, May 10, 1844. Webster, Writings, iii., 217, 253.

<sup>3</sup> (*Post*) Boston *Atlas*, March 21, 1845. *Enq.*, June 4, 1844. Tyler to Howard, June 18, 1844: State Dept., Arch. Tex. Leg. *Journal: Nat. Intell.*, June

In general, of course, the arguments employed in the press and on the platform were those already well known to us; but they did not always count with the masses precisely as they counted with persons of superior intelligence and wider experience. The cocksure opinion of a popular orator was likely to have more influence than the hesitating judgment of a thinker. Legal considerations did not weigh very much, while the kinship of the Texans probably signified a great deal. The fact that not very long since the United States had been in much the same position as Texas—fighting against “oppressors”—affected the heart of the people mightily, and it blinded many eyes to certain points of a more abstract sort. Our recognition of that country, no matter how often the real significance of it was explained by statesmen, appeared to the common mind as fairly good proof that she was a sovereign state; and the plausible term “re-annexation” had no little effect. “It is a constant fact in acoustics, that if a given sound be repeated many times with a sharp percussion, the effect on the tympanum will be such as to obliterate all previous impressions,” remarked the *Newark Advertiser*, and then it continued, “Let the experiment be tried with the word *re-annexation*. In a short time it will be the universal belief, that the whole of what is to be re-annexed once belonged to us.” A nation founded on revolution was inclined to regard the assertion that the Texan revolt had been a robbery of Mexico as “mere twaddle,” to use the language of the *Pennsylvanian*; and not a few were quick to ask like that journal, “Are the United States less independent because we had the aid of foreign citizens?”<sup>4</sup>

As the immense demand for Walker’s letter North as well as South indicated, the material advantages of possessing Texas were highly appreciated. The British consul at Galveston thought it impossible that the people of the United States would not realize the advantages of acquiring that country, and he was a sensible man. Here is an extraordinary spectacle, exclaimed the *Washington Spectator*: a rich province, once lost, may now be had for nothing, yet some are unwilling to take it; and such an appeal seemed almost irresistible to many a thrifty, acquisitive person. It is in line with the instincts of human nature, remarked the *New York Herald*, to favor the acquisition of any country, by which the power, splendor

7, 1844. *Post*: ib., July 25, 1844. (*Augusta*) *Ib.*, May 24, 1844. *Adv.*, July 23, 1844. *Miss. Hist. Soc. Pub.*, ix., 180, 191, 193, 195. *Almonte*, No. 123, priv., Sept. 20, 1844. *Times*, Sept. 16, 1844.

<sup>4</sup> *Newark (N. J.) Adv.*, May 27, 1844. *Penn.*, Aug. 5, 1845.

and wealth of the Union could be increased; and even a rough sort of piety was called upon to sanction the feeling. "Nature has given it to us, and we must have it," remarked a young American to John Quincy Adams with reference to the St. Lawrence River; and the same principle was often applied to Texas.<sup>5</sup>

Interests of a more special sort also had a voice. Long-headed business men in various quarters could see that personal or local advantages would result from adding Texas to the national domain. Not a few in the Pine Tree State, for example, welcomed the offer of a promising market for lumber and farm products, and it was realized that her ships, could find work to do between New Orleans and Galveston and between Galveston and Europe, especially in winter when nothing could be done at home. In Maryland, on the other hand, many felt that a very brisk demand for negroes would spring up in the event of annexation, the planters would sell them or migrate themselves, population would decrease, and the value of land would suffer; and these fears weighed more or less not only in the other States of the middle tier but even farther South. All through the slave section a great number continued to believe that annexation would stimulate very much the production of cotton in Texas, that cotton would tend to become unprofitable on the old plantations, that negro labor would cease to pay, that slavery would be discarded as it had been in the North, and that in consequence the South would become financially and politically weaker. During the campaign Waddy Thompson of South Carolina, formerly our minister at Mexico, stated this view of the matter with remarkable clearness and force.<sup>6</sup>

Anti-foreign—that is to say, anti-British—sentiment was much in evidence. This was by no means a merely journalistic point of view. At every stage of elevation the atmosphere was full of it. How Ingersoll of Pennsylvania, chairman of the committee on foreign affairs, talked on the floor of the national House we have seen. In April, 1844, Belser declared in the same place that Great Britain might use Texas against the United States, and that he was ready to vote for taking it in order to protect the rights, property and lives of the Southern citizens and the interests of all. Early in May

<sup>5</sup> (Demand) Walker to Polk, July 10, 1844: Polk Pap. Kennedy, May 31, 1844. *Spect.*, May 7, 1844. *Herald*, June 15, 1844. Adams, Speech: N. Y. *Tribune*, Jan. 27, 1845.

<sup>6</sup> *Portland Amer.*, Nov. 13, 1844. *Augusta Age*, May 23, 1844. *Balt. Clipper*, May 18, 1844. *Columbia (S. C.) Chronicle: Charleston Courier*, May 28, 1844. Thompson, Letter (pamphlet).

Thomasson of Kentucky stated that he had opposed annexation, and would continue to do so if that step would lead to a conflict with Mexico; but if the question were to be with any nation besides Mexico, he was for it even at the cost of war. Other declarations of similar import from men in high official positions will be recalled. Winthrop retorted that like the painter who could do nothing well except a red lion and therefore was always dragging that into his pictures, the Democrats were forever bringing up Great Britain to alarm the nation; but the sentiment against the country with which the United States had had two wars, and which seemed to insist contemptuously that we should take from her our manufactures, commercial facilities, manners, literature and ideas, was very much too deep to be quenched with a sarcasm.<sup>7</sup>

It was in the press, however, that this feeling chiefly manifested itself, and there it assumed all forms. In every quarter of the land sounded a continuous drumbeat of resentment and defiance against foreign interposition. Sometimes the popular notions were quite in error. When news came that Santa Anna threatened to invade Texas, England was accused of providing him with funds for that enterprise, though in reality she counselled Mexico emphatically against this "wild undertaking" and this "deliberate challenge" to the United States. The New York correspondent of the London *Times* described the people as in such a mood that should Great Britain be really caught intriguing for the abolition of slavery in Texas, "the project of annexation would be promptly carried into execution by an overwhelming majority," and if necessary supported by "an appeal to arms." "Every native-born American who drives a cart," he continued, believes the object would be to break up the Union; and every man, young and old, would rally to defend the constitution. "Be not mistaken," he warned the British public; "I tell you solemn truths"; and in substance this representation was officially confirmed by Pakenham and Pageot. To a very large number of editors and their subscribers the Texas question was primarily an issue between the United States and Great Britain, arising out of England's jealousy of a powerful and growing republic that had once been her colony.<sup>8</sup>

<sup>7</sup> *Cong. Globe*, 28 Cong., 1 sess., 401, 539, 575, 402.

<sup>8</sup> A few citations would be of little value, and there is not space for an adequate number. *Rich. Eng.*, Sept. 15, 1844. *To Bank*, No. 30, Sept. 30, 1844. *Times*, Oct. 17, 1844. *Pak.*, No. 76, June 27, 1844. *N. Orl. Com. Bull.*, Aug. 5, 1844. *N. Y. Bull.*: *London Times*, July 15, 1844. *N. Y. Herald*, July 6, 1844.

This mood of the American press and public was powerfully stimulated by the language of English journalists. "John Bull will now toss his horns grandly, or we are no prophet," exclaimed the *Boston Post* soon after the treaty of annexation became public; and so it proved. Little indeed in American life and character escaped the sweep of those redoubtable weapons. For Webster the *London Times* professed to entertain more respect perhaps than for any other living statesman of this country; yet it pronounced a letter from his pen "a string of intolerable prose," going on "with about the meaning and variety of a mill wheel," through "an unrelieved series of platitudes, . . . a harangue of the most commonplace conceivable kind, . . . trash." "Human nature itself has been lowered by the depravity of the American people," this journal lamented; and it described the Democratic leaders as "reduced to simulate political crimes which they had not the resolution to attempt." In its eyes "the extraordinary injustice" of annexation was "if possible" surpassed by "the matchless impudence of the arguments used in defence of it." It was "the vanity which in America supplies the place of pride," that had prompted Tyler to stretch out for Texas and so crown his reign "with notoriety if not with fame" before returning to "the herd" from which he had sprung. Should the Senate ratify the treaty, threatened the *Times*, the President and Secretary of State would "probably find their embarrassments rather increased than diminished by the execution of it," for as the country it was proposed to annex had been acknowledged by foreign powers, she possessed no right to join the United States.<sup>9</sup>

What made such language particularly exciting was the fact that some authority greater than an editor's appeared to be dictating it. In April, for example, the *Britannia* of London observed with reference to Texas that England "would neither suffer nor gain, whether the swampy shores of the Gulf of Florida belonged to Indians or Yankees, or whether man or mosquitoes drove the traveller from the unfriendly shore"; but only five weeks later this periodical described the proposed absorption of that region as "one of the most flagrant offences ever committed by a nation professing a respect for human rights." What except a strong hint from the government, one could well ask, had force enough to change an important journal so completely within so short a space of time? That the cabinet had their eyes upon the matter seemed evident also

<sup>9</sup> *Post*, May 9, 1844. *Times*, Feb. 27; May 15, 18; June 10, 1844.

from Lord Aberdeen's remark on May 17 when Brougham took up the subject of annexation. Should the American Senate ratify the treaty, he said, "he should be prepared to state his opinion to the House, and to do that which was consistent with his duty as a Minister of the Crown, and what the public service might require,"—a scarcely veiled threat. And the tone of the English press was even more insulting than its language, pointing already to what the *Atlas* of London put into words a year later: "America, in all the length and breadth of its continent, the United States inclusive, must be content to submit to British surveillance, and, when necessary, to British controul."<sup>10</sup>

Just here the great influence of Jackson exerted all its force. Danger from England was his tocsin, and he rang it with an activity equal to the strength of his convictions. Within four months and a half Blair received twenty long communications from him on the subject of obtaining Texas; and there is no reason to suppose that Blair alone was favored in this way. A number of letters from his pen were spread broadcast by the newspapers. In particular, he dwelt as before upon the strategic need of ensuring the southwestern frontier against a British attack. It was replied that in 1820 he had represented the acquisition of Florida as enough to make that part of the country invulnerable; but this was met by pointing out how the situation had changed, and that now there were several roads from Texas where formerly impassable swamps and forests had cut off all approach. The *Tribune* argued that it would be easier to concentrate half a million men, armed and provisioned, at New Orleans than a hundred thousand at Austin or Nacogdoches; but the public were much better satisfied to rely upon the opinion of the man who had routed the British in 1815 than upon the dictum of an anonymous newspaper fellow in a New York attic. Besides, Jackson's opinion was supported by English writers. One of these frankly remarked in the *Liverpool Mercury* that the possession of Texas was "almost indispensable" to the United States as a cover to their Southern frontier in the event of a war with any European power; and when it was urged that England already had a better base of operations in Canada, it was easy to show from articles in the British press than many in England itself thought the hardest blow possible against this country would be to attack the South and

<sup>10</sup> *Britannia*, April 13; May 18, 1844. *London Times*, May 18, 1844. *Atlas*, Dec. 27, 1845.



arm the slaves. It would be very easy, said the *Atlas*, to excite a servile insurrection there. Yet after all, despite the fuming, as British designs and intrigues in Texas had not publicly been proved, no call for immediate action was clearly seen, and the Whigs could believe their programme quite as likely to prevent foreign interference as the other.<sup>11</sup>

<sup>11</sup> Blair to Van B., Sept. 13, 1844: Van B. Pap. Jackson to Nashville *Union*, May 13, 1844: Wash. *Globe*, May 23, 1844. Id. to Moore, June 25, 1844: *ib.*, July 20, 1844. Id. to Dawson, Aug. 28, 1844: N. Y. *Herald*, Sept. 17, 1844. *Tribune*, May 21, 1844. *Mercury*, April 19, 1844. *E. g.*, London *Atlas*, Jan. 4, 1845. In two thoughtful articles on the subject (May and June, 1844, pp. 324, 383) the *Southern Literary Messenger* reached the conclusion that annexing Texas would give the South military security and prevent slavery from being placed between two fires. Senator Barrow of La., however, who opposed annexation, asserted (*Cong. Globe*, 28 Cong., 2 sess., App., 390) that a desire for greater political power was really the main argument with the South, and one can easily believe that this idea had more weight than it seemed wise to avow.

The Newark (N. J.) *Adv.*, May 27, 1844, thus summed up the arguments against annexation: It is unconstitutional to acquire new territory, especially when so doing would involve war; to take Texas, which is now in conflict with Mexico, would violate our treaty obligations, which is wrong and dishonorable, and would involve us in a war which,—being unjust—could not be waged with union, spirit and success; the scheme is now urged for personal and sectional aims; the subject has not been fully considered and passed upon by the people; the whole course of the negotiation has been undignified and degrading; the country has just emerged from troubles over currency and commerce and is not ready for fresh agitations; annexing Texas would weaken our position against the acquiring of Cuba by England; it would be an act of cowardice and oppression against a weak nation, Mexico; we have more land already than can be properly cultivated; annexation would extend slavery and give it undue preponderance in the Union; in a sparsely settled country with a shifting population, patriotism is weak, education difficult, agriculture backward, and improvement in all ways tardy, and therefore we should not extend our bounds; the United States would have to assume—for the benefit of foreigners—a debt of \$10,000,000 or \$20,000,000 which we would not do for one of our own States; the increase in the area of the public lands would diminish the value of those we now hold; our government is already unwieldy enough, and sectional difficulties are already sufficiently bad, and annexation would add to both embarrassments, lead to dissensions, and perhaps sow the seed of civil war; the Sabine was fixed as the boundary, in preference to the Rio Grande, by Crawford, Calhoun, Wirt and Monroe for reasons deemed sufficient, and therefore it should continue to mark the frontier.

Over against this may be placed the answer of the St. Clairsville (Ala.) *Gazette* to the question, Why annex Texas? "Because the Father of Democracy, the patriotic Jefferson, bought it of France and paid the money of the nation for it. Because, in the treaty of 1803, we forever guaranteed the civil, social, political, and religious rights of the Texans. Because, Clay said we had no right to transfer it to Spain in 1819. Because Mexico never had a title to it; but she violated the Constitution of 1824, and left Texas free to act for herself. Because Texas defeated the army of the murderer, Santa Anna, and he, when taken prisoner, solemnly signed a treaty for the independence of Texas. Because Texas has been recognized by us as free and sovereign, and desires us to fulfil our pledges to her. Because Clay says it is a better country than Florida, having a delicious climate, fertile soil, live oak for our navy, and the finest harbors on the Globe. Because it makes the slave trade, now privately carried on, piracy, and annexation would suppress it. Because it will protect Texas from the rapacity of Mexico, which is aided by England. Because it will make a home market for our fabrics and produce, and prevent smuggling on our frontiers. Because it will prevent British invasion by land, save us Oregon, and protect our commerce in the Gulf. Be-

Circumstances as well as arguments had a share in the campaign, and under this head the Liberty party must probably be given the first place. That organization, composed of the less radical abolitionists, had held a national convention in August, 1843. One hundred and forty-eight delegates representing twelve States were present; and they nominated Birney of New York as their candidate for the Presidency. At the date of the convention there seemed to be no occasion for taking a stand regarding Texas; but the extension of slave territory was denounced, and the platform as a whole could be summed up in a word, as it was by the Cincinnati *Herald*: "Slavery is the paramount issue." In some respects the Liberty men had more in common with the Whigs than with the Democrats; but for this very reason they drew more strength from the former than from the latter, and therefore the Whigs were peculiarly hostile to them. The *Liberty Standard* said that while Polk's followers merely let them alone, the other party tried to destroy their organization, and therefore it had to be fought; and that as the Whigs endeavored to seduce abolitionists by pretending their own candidate opposed slavery, it was indispensable to prove he did not. The advocates of the perpetuation of that curse in the United States, said the New York *Tribune*, "have no truer, more devoted or more efficient friends than the Political Abolitionists of New York and the New England States"; and such language was bitterly resented by those to whom it applied. Garrison printed a series of extracts from the Liberty journals, which revealed a deep hatred against the Whigs and scarcely any ill-will toward the other great party.<sup>12</sup>

Throughout the northern States, except Rhode Island and New Jersey, the Liberty strength was now very large in comparison with 1840, but in most cases it had no decisive influence. Michigan, however, would have cast her electoral vote for Clay, had the abo-

cause it will give us the trade of all the great rivers of the far West, that run to the Mississippi and Gulf. Because it gives us a hundred and thirty-six million acres of land, for which England would pay ten times the sum and then destroy our commerce, manufactures, planting and mechanic interests. Because it would extend our free institutions, the principles of human rights, and the glad tidings of salvation. Because Clay and Adams wanted to buy it in 1827, and Gen. Jackson in 1829 to prevent foreign nations from destroying our peace and prosperity. Because *Gr. Britain wants Texas*, as she does all creation, *to enslave the millions*. Because our British-Whig-abettors aid England and Mexico and oppose 'Union and Liberty.' Because annexation will prevent consolidation and perpetuate State Rights." Such a jumble of right and wrong, truth and error, sense and folly probably represented the Texas opinions of half a million voters.

<sup>12</sup> The extreme abolitionists would have nothing to do with politics or the government. Stanwood, Presidency, 215. Cin. *Herald*, July 27, 1844. *Standard: Madis.*, Nov. 20, 1844. *Tribune*, Oct. 11, 1844. *Lib.*, Nov. 22, 1844.

litionists concluded to support him. In Ohio, on the other hand, enough of them appear to have done so to carry the State. There the Whigs made special efforts to win them over; and at Cincinnati, for instance, they held an anti-annexation meeting for that express purpose. Harris, one of Polk's correspondents, reported after visiting the ground that he thought the Liberty men numbered 15,000 or 20,000 and, should they stand firmly by their ticket, the State would go Democratic. Their actual vote was 8,000, and the Whigs had a margin of about 6,000, substantially all of whom, if Harris was right, would seem to have come from the ranks of the anti-slavery party.<sup>13</sup>

After the letters of Clay and Van Buren had been read, the New York *Herald* predicted that both men would occupy the same position on the subject of annexation: "That is to say, they will now be a little on this side and now a little on the other side of the Sabine—sometimes Texas, and sometimes anti-Texas—balancing and re-balancing, until after the Ides of November"; but this prophecy did not entirely come true. When an attempt was made to draw from Van Buren some modification of his views, he informed Amos Kendall that his position had been taken deliberately and could not be changed. Very differently acted Henry Clay. At the time he drafted his Raleigh letter he expected to be opposed by a candidate occupying substantially the same ground as himself on the new issue; and the nomination of an avowed annexationist by the Democrats changed the situation essentially. In comparison with Polk he appeared cold, timid and anti-Southern. To aggravate the difficulty, his argument that the opposition of a large number of the American people against annexation ought to be decisive, was viewed by many as referring, not to the free States in general, but to the abolitionists. "Lash Clay on his rejecting Texas for the abolition votes severely," wrote Jackson to Polk, and the idea took. Signs of disaffection appeared in his ranks, and his friends entreated him to save the cause. Not adapted by nature or experience for a defensive campaign he felt annoyed, became excited, lost his head, yielded to the pressure—not exactly like the cock that runs away but like the one on the housetop that turns round—and modified his attitude without considering all the probable effects of so doing.

<sup>13</sup> Stanwood, *Presidency*, 203, 223. Parry to Van B., March 29, 1844: Van B. Pap. Harris to Polk, July 18, 1844: Polk Pap. The Wash. *Globe*, Nov. 18, 1844, charged that the Whigs carried the State because many of the abolitionists—mainly in consequence of a well-known forged letter—deserted their leader.

Even now he did not come out squarely in favor of immediate annexation or indeed of annexation at any time; but he discovered by the first of July that he had no personal objection to the acquisition of Texas, and by the twenty-seventh that he "should be glad to see it, without dishonor, without war, with the common consent of the Union, and upon just and fair terms." In fact he now thought it "would be unwise to refuse a permanent acquisition, which will exist as long as the globe remains, on account of a temporary institution" like slavery, which really ought not to "affect the question, one way or the other"; and he intimated that should he win the Presidential chair, he would be governed by public opinion and the state of the facts.<sup>14</sup>

"You would be amazed," wrote F. B. Stevenson of Cincinnati to Senator Crittenden, "at the extent of the *resentment* felt in Whig quarters towards Mr. Clay, for his Texas letters written after they had taken position under his Raleigh letter." Cramer, editor of the Albany *Argus*, expressed the opinion to Polk that for this reason Webster, Choate, Seward, Granger, Fillmore and Corwin felt deeply indignant in their hearts, adding that the Whig papers were thrown upon the defensive, and had to spend half the time in explaining what their candidate really meant. In particular, the view that the slavery issue ought not to be considered in reference to the question of annexation shocked most profoundly those to whom that issue was a matter of conscience; and they concluded, said Greeley, that Clay's opposition to the Texas project, having no root in principle, could not be relied upon. Then came Birney, preaching that the Whig candidate was actually more dangerous than the Democratic, because he was abler; and finally Clay's Northern enemies, pitching upon the unlucky words "glad to see it" in his letter, stripped them of their context, and bandied the phrase about as a fatal admission. Clay also disavowed the sentiments of his relative, Cassius M. Clay, who had been trying to convey the impression that Henry was opposed to slavery, which in Cramer's judgment put an impassable gulf between him and the abolitionists. All this was done of course to placate the South; yet many of those who favored annexation there and considered it the vital issue of the campaign on account of its bearing upon the security of Southern interests, felt entirely

<sup>14</sup> *Herald*, May 4, 1844. Van B. to Kendall, June 12, 1844: Van B. Pap. Blaine, *Twenty Years*, i., 34-37. (Abolists.) Tuscaloosa (Ala.) *Monitor* in N. Orl. *Com. Bull.*, July 25, 1844. Jackson to Polk, July 23, 1844: Polk Pap., Chicago. (Letters) Schurz, Clay, ii., 260: *Madis.*, Aug. 29, 1844.

dissatisfied still, since the Whig leader seemed to be only passively favorable to their cause. "What a perfect devill Clay has made of himself in his different letters," exclaimed Old Hickory.<sup>15</sup>

The Democrats as well, however, had an *enfant terrible*. This was Benton, who attacked the administration furiously in his campaign speeches for its Texas proceedings, denounced the treaty, denied the reality of English intrigues against the peculiar institution, opposed with all his vigor the programme of the radical annexationists, and maintained that had a different course been pursued Texas would have been sure to enter the Union "as naturally as the ripe pear falls to the earth and without dissension at home or abroad." Energetic in tone, piquant in phraseology, plausible in argument, Benton's addresses had notable elements of popularity. One of Polk's correspondents expressed the opinion that he had deprived the party of 100,000 votes; and Jackson felt that his speeches had done more harm than all the Whigs put together. Such estimates, however, were clearly the fruit of irritation. Tyler and Calhoun, not Polk, were the targets of Benton's wrath; and if he could still support the Democratic ticket, so could his followers.<sup>16</sup>

The President remained for some time a disturbing factor; but it became evident before very long that he was not likely to receive the Southern vote. Party allegiance counted heavily against him of course; and no doubt many believed, as James Gadsen did, that a majority in that section looked upon him as not equal to the crisis. It was clear, too, that his remaining in the field would divide the pro-annexation vote. Consequently, whether or not entirely sincere in stating that he organized a party in order to throw its weight for the public good in the election, the President had now an opportunity to exhibit altruism, and he was given assistance in that matter. Walker, for example, discussed the subject with him; and then the Senator notified Polk that Tyler, not expecting to be elected, desired the success of the Democrats, and that if his followers, who considered themselves proscribed in consequence of the attacks of the *Globe* and other papers, could be assured of a reception as brothers and equals, he would withdraw from the canvass, and they would merge themselves in the Democratic party. Walker then intimated

<sup>15</sup> Stevenson to Crit., undated: Crit. Pap. Cramer to Polk, Sept. 17, 1844: Polk Pap. Greeley, *Amer. Conflict*, i., 166-168. Weed, *Autobiog.*, 585. (Banded) Schouler, *U. S.*, iv., 477. Clay to Wickliffe, Sept. 2, 1844: *Wash. Globe*, Sept. 10, 1844. Jackson to Blair, Oct. 17, 1844: Jackson Pap.

<sup>16</sup> (Benton's St. Louis speech) *Wash. Globe*, Nov. 6, 1844. Yoakum to Polk, Nov. 22, 1844: Polk Pap. Jackson to Blair, Aug. 15, 1844: Jackson Pap.

to Polk that some one in a position to do it should write a letter signifying the acceptance of Tyler's conditions. Here is something, added the Senator, that may decide the election.<sup>17</sup>

This was on the tenth of July. On the twenty-third Polk sent General Pillow to Jackson, and suggested that Blair be induced to stop attacking the President; and three days later Jackson was saying to the editor of the *Globe*, "Support the cause of Polk & Dallas & let Tyler alone—leave Calhoun to himself." This was followed up on the first day of August with a letter to Major Lewis, in which Jackson expressed his views as to the proper course for the President, arguing that unless he should withdraw, he would be charged with taking up the annexation issue merely to obtain a re-election and with remaining in the field in order to defeat Polk; and Tyler soon wrote back to him that this advice had determined him to retire. He claimed to have a controlling power in Pennsylvania, Virginia and New Jersey, and to hold in his hand 40,000 Ohio votes,—in all 150,000; and he only demanded in return for his withdrawal an immediate change in the attitude of Benton and the *Globe* towards himself, and a fully open door for all of his followers who should wish to join the Democrats. As he added that most of those who had followed him in 1840 had previously voted for Jackson, this appeal was calculated to be particularly effective; and again Jackson gave orders to Blair in accordance with the President's wishes, adding that his withdrawal would ensure victory. Doubtless other communications passed, for according to Tyler himself the Democratic leaders promised that his friends should be theirs; and on the twentieth of August his letter of withdrawal was written. How many votes this arrangement carried to Polk it is of course impossible to say. No doubt the President over-estimated his strength; but had no olive branch been held out to his followers, they could hardly have been expected to assist the Democrats. Resentment and desperation, as well as hope, are recognized motives of action.<sup>18</sup>

Another disturbing factor was Nativism. In November, 1843,

<sup>17</sup> Gadsden to Calhoun, May 3, 1844: Jameson, Calhoun Corr., 952. Tyler to Gardiner, July 11, 1846: Tyler, Tyler, ii., 341. Walker to Polk, July 10, 1844: Polk Pap.

<sup>18</sup> Polk to Jackson, July 23, 1844: Jackson Pap. Jackson to Blair, July 26, 1844: ib. Id. to Lewis, Aug. 1, 1844: Ford Coll. Tyler to Jackson, Aug. 18, 1844: Jackson Pap. (150,000) Walker to Polk, July 10, 1844: Polk Pap. Jackson to Blair, Aug. 29, 1844: Jackson Pap. Tyler to Gardiner, July 11, 1846: Tyler, Tyler, ii., 341. (Letter) Wash. *Globe*, Aug. 21, 1844.

at the election of a State Senator in New York City, dislike and distrust of the foreign-born citizens, particularly as office-holders, manifested themselves in a large vote for the American Republican candidate, and in the following April a Native administration was given control of the city. Soon the movement spread to New Jersey and Pennsylvania; and in Philadelphia serious riots occurred. This diversion operated against the Whigs in two ways. The new party drew its converts mainly from them; and the foreign-born, feeling themselves menaced, naturally gathered on the Democratic side, where the majority of them belonged. Such a result was promoted by the fact that most of these voters were Catholic, since the Whigs had been unfriendly to that sect; and although the movement was of no general consequence at this period, it appeared at such a time and in such a place as to do Clay considerable harm.<sup>19</sup>

Personal factors also had an influence. On the one hand Clay was extremely popular with many persons; but on the other he was denounced as a toper, duellist, gambler and supporter of slavery. How the two sides of the account balanced no one can say; but it seems probable that outside of Kentucky and its vicinage the personal element was less likely to seduce Democrats from their party allegiance than to discourage conscientious Whigs from giving him their votes,—especially as the stories told against him could reach immensely farther, and in many cases could strike much deeper, than his own influence. Even at home, indeed, his popularity had no such effect as might have been expected. In Kentucky the Whigs cast about 3,000 more votes than in 1840; but in Tennessee they lost some of their former strength, and the Democrats gained nearly 20,000 and 12,000 in the two States respectively. Clay's partner on the ticket also was opposed for personal reasons. According to the *Albany Citizen*, Catholics were urged to vote against Frelinghuysen on the ground that he belonged to some of the leading religious societies of the Protestants; and the *Citizen* stated that many good churchmen gave ear to the appeal.<sup>20</sup>

New York, Pennsylvania and Louisiana deserve particular mention. In the Empire State the situation was very peculiar. The Democrats were at a disadvantage in the manufacturing districts on the tariff question, and in the lake cities because their creed opposed the improvement of harbors; and the anti-slavery sentiment among

<sup>19</sup> Lalor, *Cyclopaedia*, i., 85. Von Holst, *U. S.*, ii., 522. The author has made no thorough investigation of this matter, since it is quite incidental.

<sup>20</sup> Stanwood, *Presidency*, 203, 223. *Citizen*: Phila. *No. Amer.*, Nov. 16, 1844.

them was very strong. A legislature in which that party controlled the lower House by a two-thirds majority had pronounced firmly, as we have seen, for the reception in Congress of petitions against negro bondage. "To devote their energies for the extension of Slavery must be odious to a free People," said the editor of a leading Democratic paper; and this was the issue which the Whigs of the State endeavored to fasten upon the voters. Nor did the party like to be "sunk five fathoms deep," as Cramer phrased it, by the cry of Texas or Disunion, or enjoy being stabbed under the fifth rib, as they said at Albany, by McDuffie's description of the tariff States as pirates and robbers. Another feature of the canvass that occasioned them great uneasiness was the publication by the Central Committee at Washington of Walker's pamphlet entitled, "The South in Danger," which recommended annexation exclusively on the ground of extending and perpetuating the peculiar institution. "This in a free State is a sharp sword," remarked the editor of the *Argus*. Cassius M. Clay's "terrible" denunciations of slavery and his ingenious pictures of breeding negroes for Texas also caused a good deal of annoyance. From all these troubles, however, the Democratic leaders found a way of escape,—rather narrow, to be sure, but far better than none. Silas Wright was nominated for Governor, and he was pointed to as proof that the Democratic party did not stand committed to the extreme annexation views of certain members of it, prominent though they might be, and still less to Calhoun's advocacy of African servitude. In other words, men were asked to vote for the representative of a national programme they detested, on the ground that an opponent of that programme was the party candidate for a local office; and many did so.<sup>21</sup>

Bryant's paper, the scrupulous New York *Evening Post*, found itself in a particularly difficult position, opposed to annexation yet anxious to preserve its Democratic standing. A confidential circular was issued over the signatures of George P. Barker, William Cullen Bryant, David Dudley Field, Theodore Sedgwick and others, which argued that the Texas resolution adopted at Baltimore was obnoxious to a great majority of the Northern freemen; that since the delegates had not been instructed on the subject, they possessed no authority to incorporate such a plank in the platform;

<sup>21</sup> (Disadvantage) Cramer to Polk, Nov. 13, 1844: Polk Pap. *Madis.*, March 12, 1844. Cramer to Polk, Oct. 4, 1844: Polk Pap. *Madis.*, Nov. 18, 1844. Cramer to Polk, July 21, 1844: Polk Pap.



that it would be well to publish a joint letter, proclaiming an intention to support the nominees but reject the resolution; and that efforts ought to be made to elect Congressmen on that basis. Before long the circular became known to the public, and the *Post* then maintained openly that only this policy could save the party from defeat in the State, since annexation could not safely be made an issue there. The editors endeavored also to evade the difficulty by dividing the question. It has two parts, they said; first, is annexation intrinsically desirable? and secondly, should the measure be adopted without regard to the circumstances? In other words if annexation would mean a rupture with Mexico, assumption of the Texan debt, the extension and perpetuation of slavery, and an increase of the power of the South in the national government, these incidental questions might be so important as to require settlement before the essential issue could be considered; and such a course of procedure, too, would be quite proper, for while the party felt satisfied that Texas must be received, it had not decided that she must come in "without terms or conditions." In these ways the *Post* endeavored to help its conscientious readers vote for Polk yet still consider themselves highly moral as regarded slavery and the inviolability of treaties.<sup>22</sup>

<sup>22</sup> (Circular) *Madis.*, June 25, 1844. *Post*: *Balt. Amer.*, July 27, 1844. *Post*, June 26, 1844. Whether defections among the anti-slavery readers of the *Post* were thus prevented, observers did not agree. Cramer wrote to Polk (Nov. 13, 1844: Polk Pap.) that his majority was as large as Van Buren's would have been, though it was about 5,000 less than Wright's; and Wright (to Polk, Dec. 20, 1844: Polk Pap., Chicago) maintained that Polk received even more Democratic votes than he, explaining that he was aided by the ballots of personal friends and by those of many wealthy Whigs who desired to have the State's financial system continue as it was. But William C. Bouck of Albany (to Polk, Nov. 15, 1844: Polk Pap.) expressed the opinion that the voters represented by the *Post*, while they supported the ticket, were willing that Polk should fall behind Wright, and the *Madisonian* (Dec. 18, 1844) did what it could to confirm this view, pointing out that Wright was given only 208 more votes than the Democratic candidate for Lieutenant Governor, who enjoyed no special popularity, and therefore, since Polk received about 5,000 less votes than the regular Democratic majority, the difference must have been due to defections. A letter from western New York (*Balt. Amer.*, July 27, 1844) stated that substantial Democrats in that section would vote for Birney or not vote at all; and this, so far as it went, pointed in the same direction. Indeed it is hard to believe that theories like those of the *Post* could wholly overcome the strong repugnance of many New York Democrats to everything that savored strongly of slavery and Southern domination. Before the election (Sept. 24) the *Tribune* was jubilant in view of the prospect which it held up that, whereas previously the Liberty party in New York had always borne wholly against the Whigs, it would this year take votes from the other side as well; and after the election the Albany *Argus* (*Wash. Globe*, Nov. 18, 1844) maintained that "the great body of the abolitionists" who adhered to their party organization had been "originally Democrats." According to Greeley (*Tribune*, Dec. 23, 1844) the Democrats paid abolitionist speakers, however, as if expecting their converts would be mainly from the Whigs. At all events the Liberty

Pennsylvania was normally Democratic. In July Buchanan stated privately that the party led there "by at least 20,000." Even in 1840, he added, it had been defeated by only 343 votes, and since that time it had carried the State elections "by large majorities." Not satisfied with such an advantage, however, Walker took pains to secure another. "You must not destroy us," he wrote to Polk; we need Pennsylvania, and you must go as far as your principles will permit for incidental protection. If we can only steer clear of the tariff, remarked the Senator, the election is safe. In the judgment of competent observers, Walker was not mistaken in laying so much stress upon this point. Cramer of Albany and Henry Horn of Philadelphia agreed that it was the decisive question in Pennsylvania, and Polk himself doubtless held the same opinion. In a letter on the subject he made the flexible announcement that he stood for "reasonable incidental protection," and the *Sunbury American* stated after the election that the people, who were almost unanimous for a tariff that would help the manufacturing establishments, had voted for him "with a firm belief that he would foster these interests, as they had been assured by himself and his friends." This assertion appears to be correct. "We have succeeded in fixing the belief that you 'are as good a tariff man as Clay,'" the wily Simon Cameron informed the candidate himself. On the other hand, the *Pennsylvanian* stated that in Philadelphia the abolitionists voted almost unanimously as Whigs.<sup>23</sup>

Louisiana also presented an interesting situation. In July the *National Intelligencer* published a letter, said to have been written by a distinguished citizen of the State, which asserted that "a complete intermission of the Texas fever" could be observed there; and the Whigs triumphed in the summer election. This condition of things was largely due to the fact that the sugar planters opposed annexation almost solidly, believing that should Texas become a part of the Union, their business would be ruined by her competition, and the value of their lands greatly diminished. At New Orleans, however, the sentiment was different. The local correspondents were represented as urging that Clay favored the annexation of Texas no less really than Polk and adjuring their listeners to keep their souls unstained from the guilt of slavery by voting for neither. Birney stumped the State and there declared his preference for Polk (*Nat. Intell.*, Nov. 19, 1844).

<sup>23</sup> Buchanan to Letcher, July 27, 1844; Coleman, Crit., i., 221. Walker to Polk, May 20, 1844; Polk Pap. Cramer to Id., Oct. 4, 1844; ib. Horn to Id., Nov. 2, 1844; ib. Polk to Kane, June 19, 1844; *Niles*, lxvi., 295. *Amer.: Nat. Intell.*, Nov. 21, 1844. Cameron to Polk, Oct. 18, 1844; Polk Pap., Chicago. *Penn.*; Nov. 18, 1844.

spondent of the New York *Commercial Advertiser* divided the population of the city into three classes: first, a very few, holding Texan bonds and scrip, who favored annexation under any circumstances, and made a great deal of noise; secondly, a small number thoroughly opposed to the measure; and thirdly, the mass of the people, who wished the acquisition to be effected in case this could be done honorably and economically. Obviously the third class was often in the position of silent partner to the first. Calhoun had many adherents in the town, though Felix Connolly, who built the mint, described them as nearly all holders of Texan lands or bonds or else engaged in business as brokers or note-shavers; and a popular meeting went so far in May as to threaten that Louisiana would resume possession of Texas, if the treaty should not be ratified; yet the Democrats won the State by a majority of only 700, and that margin seems to have been largely if not wholly due to fraudulent or at least irregular balloting.<sup>24</sup>

Polk was elected; but in the popular vote, with which a study of public sentiment is concerned, he ran only some 38,000 ahead of his competitor. This is quite surprising. A Democratic victory seemed probable before the Texas issue came up. The Whig success of 1840 appeared to have been merely a temporary break, largely due to the recent financial panic and its consequences; and with the exceptions of that year and 1824 the people had been Democratic for nearly half a century. The national House of Representatives that met in 1843 was of the same complexion by a large majority; and from 1800 to 1876 the party able to choose a Speaker in the even-numbered Congresses elected its President in the next campaign. At the beginning of May, 1844, George Bancroft predicted that Clay's majority in Massachusetts would be "vastly" smaller than Harrison's of 1840. The promising indications in Pennsylvania have already been mentioned; and other favorable omens were observed. The results, however, did not correspond. The abolition vote of 1844, substantially all of which must be counted as against annexation, ran up to 62,300. That of Michigan was larger than Polk's plurality in the State; and that of New York was three times as great as his plurality there. Had the party

<sup>24</sup> *Nat. Intell.*, July 24, 1844. *N. Orl. Courier*, Dec. 21, 1844. *Com. Adv.*: *London Times*, June 10, 1844. Connolly to Van B., May 10, 1844: Van B. Pap. (Meeting) *Mex. Consul*, N. Orl., No. 32, May 11, 1844. In January, 1845, the Louisiana House of Representatives declared by a vote of 36 to 16 that a majority of the citizens favored immediate annexation, and later the Senate concurred (*Nat. Intell.*, Jan. 28, 1845).

broken up in the latter commonwealth and even three-fourths of its members joined the Whigs, Clay would have carried New York. The losses of the Whigs in the four northern States of New England, in comparison with the returns of 1840, almost equalled Polk's national margin, and apparently these missing voters merely stayed at home, for the Democratic strength also declined. On the other hand some allowance is to be made for Clay's personal popularity, but it could hardly offset these figures. So in spite of the antecedent probability Polk did not have the voters with him, and annexation "at the earliest practicable period" was really defeated.<sup>25</sup>

When we look beyond the returns these facts are emphasized. The effect of tariff misrepresentations on the vote of Pennsylvania has already been suggested. In the State of New York, said the *Tribune*, 10,000 illegal ballots were cast against Clay and not 2,000 for him. The *New York Express* alleged that during the last fortnight of the campaign not less than 2,500 voters were naturalized by the Democrats. The *Poughkeepsie Journal* asserted that within three or four months upwards of 10,000 Irishmen were put at work on the canals under the pretence of making repairs; that more than 2,000 of them had been naturalized within a recent period; and that perjuries by the thousand had been committed to make them citizens. According to the *Buffalo Commercial Advertiser* the result in the State was due to the naturalization of aliens in that city and New York during the preceding two years. The *New York Courier and Enquirer* declared that thousands of voters had been manufactured expressly to cast their ballots for Polk, and that more than 2,500 foreigners, who had previously stood for the other party, were persuaded that a Whig victory would deprive them of their rights. In all, so Greeley estimated, more than 100,000 foreign-born Whigs were driven over to the Democrats by the threatening appearance of Nativism, and it was pointed out that the Liberty men, besides coming mainly from the same side, made thousands of others believe that Clay was really an annexationist.<sup>26</sup>

Webster attributed the defeat of his party to the fraudulent voting of foreigners in New York and Pennsylvania. Thurlow

<sup>25</sup> Had South Carolina chosen her Presidential Electors by a popular vote, Polk's plurality would have been larger. Of course the remarks of the text are based upon the vote actually cast. Lalor, *Cyclopaedia*, i., 777. Stanwood, *Presidency*, 222. Bancroft to Van B., May 2, 1844: *Mass. Hist. Soc. Proc.*, 3 ser., ii., 425.

<sup>26</sup> *N. Y. Tribune: Nat. Intell.*, Nov. 12, 1844. *Express, Journal, Com. Adv.*: ib., Nov. 13, 1844. *Courier and Eng.*: ib., Nov. 19, 1844. Greeley, *Amer. Conflict*, i., 168.

Weed, no mean judge in such matters, believed that until Clay wrote the letters modifying his attitude on the annexation question, he was "certain" to become President. Frelinghuysen gave the credit to the abolitionists and the foreign-born voters; and Fillmore, the Whig candidate for the Governorship of New York, to the abolitionists and foreign-born Catholics. Colton, Clay's biographer, held that the most powerful argument against the Whigs was the popular name of the other party; but he figured out in detail that New York, Pennsylvania, Georgia and Louisiana were carried by the Democrats fraudulently, and pointed to Nativism, the patronage of the national government, the faulty organization of the Whigs and their ineffective campaign methods as important factors; while the unsuccessful candidate himself explained the wreck of his cause as due to "a most extraordinary combination of adverse circumstances." "If there had been no Native party," he wrote, "or if all its members had been truer to its own principles; or if the recent foreigners had not been all united against us; or if the foreign Catholics had not been arrayed on the other side; or if the Abolitionists had been true to their avowed principles; or if there had been no frauds, we should have triumphed." Of course the defeated party is always inclined to protest that it was beaten unfairly; but a review of all the charges preferred on both sides confirms the impression made by the face of the returns that Polk had no real popular majority and that his annexation policy did not win the day.<sup>27</sup>

Very significant also were the opinions expressed, after the smoke had rolled away, as to the issues actually involved in the contest. The *American* of Portland said that in this campaign the battle was plainly between the principles of Adams and Hamilton and those of Jefferson, and that the victory meant there would be no National Bank, no new distribution of public lands money, no high tariff and no coalition with Federalism. The *Alexandria Gazette* of Virginia, a Whig sheet, thought the election had turned mainly upon abolitionism at the North, protection in Pennsylvania, free trade in Alabama, religious prejudices in Maine, Mormonism in Illinois, foreigners everywhere, and most of all upon an appeal to the poor against the rich. In the eyes of the *Charleston Mercury* the election had overthrown Clay and Adams, rebuked encroach-

<sup>27</sup> Webster, Speech, Nov. 8, 1844: *Nat. Intell.*, Nov. 13, 1844. Weed, *Autobiog.*, 572. (Ful., Fill., Colton) Clay, *Works* (Colton), v., 495, 497: ii., 428-443. Clay to J. M. Clayton, Dec. 2, 1844: Clayton Pap. One suspects that it was chagrin over his own blundering that caused Clay to ignore annexation in this summary.

ments on the constitution, forbidden a National Bank, prohibited an alliance between the national treasury and the stock-jobbers, and prevented the assumption of State debts, the imposition of unnecessary taxes, the passage of a bankrupt law, the promotion of the anti-slavery crusade by means of a tariff that would enrich the North at the expense of the South, and the surrender of Texas to Mexican barbarity and British domination. The New York *Herald* maintained that Polk was carried into power by the cry "Texas and Oregon"; while in the opinion of Anson Jones, recently chosen to succeed Houston, the anti-foreign feeling was decisive. Schenck, a Whig Congressman from Ohio, expressed the belief that Clay was beaten on the simple issue of "democracy"; Brinkerhoff, a colleague of the opposite party, said that Polk triumphed there because he opposed a National Bank, a protective tariff and a distribution of the proceeds from the sales of the public lands; and McClermand, a Representative from Illinois, stated that the people of the West believed the question of reducing the price of these lands had been an issue in the campaign. Such are fair specimens of opinions given out by well qualified observers.<sup>28</sup>

It is true, to be sure, that by many the result of the election was hailed as a victory of the Texas cause. The New York *Evening Journal*, for instance, put the case in this way: The Baltimore convention chose Polk because he was for immediate annexation; it presented that matter as a great party issue, and the Whigs were everywhere against it; "if then, any question can be said to have been settled by the recent election, it is that of Texas." This view of the matter was natural. In reality the situation was very complicated; mental training and a mental effort were necessary to explain or understand it; mental training was not universal, and a mental effort required labor. The subject had been conspicuous, and it is instinctive with Americans to "star" the most prominent "feature" of any affair. The mass of men will not, and many of them cannot, discriminate. In the popular conception, the patriot never works for his own advantage, and the "scheming politician" never lifts his finger for the common welfare; the good man is perfect, and the bad man is a wretch. Besides all of which, a large section of the public was eager to convince the world that annexation had carried the day. But all such bold assertions may be brushed aside. Leav-

<sup>28</sup> *Amer.*, Nov. 13, 18, 1844. *Gazette: Nat. Intell.*, Nov. 16, 1844. *Mercury: ib.*, Nov. 23, 1844. *Herald*, April 26, 1845. Jones, *Memor.*, 79. *Cong. Globe*, 28 Cong., 2 sess., 56, 131, 72.

ing out of account altogether our analysis of the result, we can see at a glance how carelessly they were made. The major premise of the *Evening Journal* was unsound. It would have surprised Benton a good deal to be told that his voting for the party's candidate showed that he favored its annexation policy, and probably a number of Democrats larger than Polk's plurality agreed with him on this issue: for instance those, led by the *New York Evening Post*, who openly rejected the Texas plank while declaring for the man who stood upon it. Maine went strongly against the Whigs; yet the State Senate, which contained only three of them, condemned certain pro-Texas resolutions by twenty-four votes to seven.<sup>29</sup>

It is not even possible to trace any line of cleavage on this question. How the anti-annexation Democrats of New York were assisted to support Polk we have seen, and with equal skill multitudes of Southern Whigs who wanted Texas were held in the Clay ranks. In Georgia their convention spiked the enemy's gun with this deliverance: "*Resolved*, that we are in favor of the annexation of Texas to the United States at the earliest practicable period consistent with the honor and good faith of the nation"; and the Democrats were challenged to reject the qualification if they dared. The *Memphis Eagle* argued that the efforts of the opposite party to use the question for their own political advantage would merely delay a consummation which the Whigs intended—in the proper way and at the proper time—to bring about. In reality, contended the *Baltimore American*, Clay was a better man for the annexationists than his competitor, for Mexico would treat with him more readily and more liberally than with a President representing the spoilers' cry of "Immediate Annexation"; and it was often urged that he had repeatedly shown a patriotic willingness to accept the will of the people in lieu of his personal desires. By such methods what difference between the two parties on this issue really existed was to a very large extent obscured.<sup>30</sup>

No doubt annexation sentiment helped the Democrats more or less, but the same could be said of many other factors. "Who elected James K. Polk?" asked the *New York Express*, and then it proceeded to give the answers: "'I,' says the free trade man of South Carolina, 'I did it; hurrah for free trade!' 'No,' says the

<sup>29</sup> *Eve. Journ.: Nat. Intell.*, Nov. 27, 1844. (Me.) *Cong. Globe*, 28 Cong., 2 sess., 141 (Severance).

<sup>30</sup> (Ga.) *Charleston Courier*, July 9, 1844. *Eagle*, May 18, 21; June 19, 1844. *Amer.*, July 17, 1844.

Annexationist of Mississippi, Alabama and Louisiana, 'It was I that did it; I went for the enlargement of the territory of slavery.' 'Not so fast,' respond the Annexationists of the North, 'It was we who did it—we who went for getting rid of slavery by taking Texas and thus enlarging the bounds of freedom.' 'No, no'; declare the tariff men of Pennsylvania, 'we did it, and did it by shouting for the tariff of 1842' . . . 'Don't boast too much,' say the Tyler men, 'we did it; the post-office and custom house did it; we did it by giving you public offices and public money'; and these are not all who say they did it. The friends of Silas Wright and Mr. Van Buren in New York declare that it was their work. The Irish say they did it—the Germans that they did it; and the Abolitionists of the locofoco creed exult by proclaiming, 'We did it.'" Even this catalogue was not complete, however. The Bank, the tariff, slavery, Texas, Oregon, Clay's personal character, the suspicion that if elected he would promote annexation, the sentiment against foreign interference, the military argument, Nativism, Catholic influence, public land matters, patronage, fraud, Silas Wright, Jackson,—every one of these drew voters to Polk. "The Question of annexation," remarked the *Globe*, "was doubtless blended with a variety of other issues in the late canvass, which it would puzzle a Washington editor to disentangle." The struggle was thus made complex by a rather large number of circumstances, among which figured Texas; but after all it was essentially a party contest on the established lines of principle, prejudice and habit that divided the mass of the nation into Democrats and Whigs. There was therefore no clear-cut issue between annexation and anti-annexation, and still less was there a "tidal wave" for immediately crossing the Sabine.<sup>31</sup>

It is clear, however, that a pronounced if not startling drift of sentiment toward annexation could be seen. Ingersoll estimated that out of 2,700,000 voters, at least 2,000,000 favored that idea. This was a guess, of course, and a guess colored by the prejudices and purposes of the speaker; yet it seems plain enough that a large majority of the people, could every other issue have been swept away, would have recorded a preference in favor of accepting Texas at an early date. The most powerful consideration that led this way was probably a spontaneous desire to regain a valuable piece of property that had been surrendered imprudently and could now

<sup>31</sup> *Express: Nat. Intell.*, Nov. 27, 1844. *Wash. Globe*, Dec. 5, 1844.



be had at a bargain. This was not exactly the impulse of expansion; it was rather a natural spirit of thrift plus an equally natural disposition to correct a disastrous blunder. The second, perhaps the first, motive was a determination to prevent foreign interference in American affairs, and especially an interference liable to cripple the South and injure the whole Union. Third in general effect, though with many persons first or second, stood the wish to protect the declining political influence of the slave section. With these prime factors co-operated a variety of now familiar considerations, partly sectional and partly national. The resulting tide of annexation sentiment, largely non-partisan, and not the mere success of the Democrats, is the significant fact about the campaign so far as the present subject is concerned.<sup>32</sup>

While, however, the result of the struggle was not specially the consequence, it was most really the cause, of annexation feeling. For this a number of good reasons can be pointed out. Perceiving the drift of sentiment, which in the public mind was represented by Polk's victory, both politicians and people, desiring to be found on the triumphant side, marched the same way. However it had come about, a President strongly in favor of annexation had been elected, and this event, rendering the success of the measure highly probable, reinforced that natural tendency. All who desired Executive favors, direct or indirect, were especially affected, and many endeavored now to make themselves conspicuous by propagandism in the official cause. The ease of explaining the recent election by supposing this one issue had decided it brought still others over; and finally the mental economy of settling the very difficult annexation affair itself, with all its puzzling questions of constitutionality, justice and expediency, by crying *Vox Populi, vox Dei* was a powerful inducement for multitudes of men.

<sup>32</sup> The opinion that a strong drift in favor of annexation existed rests mainly on the following bases: 1, the arguments and sentiments in favor of that measure were so strong that they were sure to affect the people when fully brought to bear upon them; 2, Competent on-lookers (one of them Ingersoll) reported such a drift; 3, editorials, articles and speeches, particularly the Congressional debates of January and February, 1845, and certain public acts (*e. g.*, at New York and Augusta) indicate as much; 4, the prompt and general acquiescence of the country when annexation had been voted shows that public sentiment was ready for it; 5, such opposition as survived was to a large extent forced and for the sake of appearances. (Ingersoll) *Boston Post*, Jan. 15, 1845. It is important to distinguish between the expansive impulse which was mainly responsible for the settlement of Texas and the causes which led us to annex that country.

## XVI

### ANNEXATION IS OFFERED TO TEXAS

At first, after the rejection of the treaty, Calhoun felt very despondent and advised that the Texas problem be laid aside for Polk; but he soon rallied and took the matter up again. The plan of calling an extra session of Congress was relinquished, because Tyler felt it might injure the Presidential chances of the Democrats. No course was left then except to wait until December; but at that time the President was ready to act. His annual Message referred to the subject of annexation with vigor and at length, presenting once more the national view of it and not the sectional view adopted by Calhoun; and again he marshalled arguments in favor of his cherished project. One of the principal objections urged against the treaty, he then proceeded to say, having been the fact that the question had not been submitted to the nation, I laid it before Congress as the people's representatives. In the Presidential campaign the issue came before the public, and a decision has been made in favor of annexing Texas "promptly and immediately." The will of the country should of course be executed, and in so doing all collateral issues ought to be avoided. The United States and Texas desire to unite; Mexico will accept that action amicably; and no serious complaint will come from any quarter. The passage of a joint resolution embodying the terms agreed upon by the two governments is therefore recommended.<sup>1</sup>

On the eighteenth of December Tyler sent another Message. This covered the bitter correspondence which had recently passed between our minister to Mexico and the administration of that country in reference to the war with Texas, the merciless manner in which it was proposed by Santa Anna to conduct it, and the exposition of the American government against the threatened barbarities. Mexico, said the President with a good deal of truth, has violated her agreements with us, and now besides insulting us

<sup>1</sup> See General Note, p. 1. (Calhoun) Tyler, Tyler, ii., 331. (Extra session) Raymond to Jones, Aug. 29, 1844: Jones, Memor., 379. Richardson, Messages, iv., 340. Tyler said that annexation was presented "nakedly" to the people. But this appears to mean, not that it was the only issue before the public, but that no questions as to the terms, etc., of annexation obscured the main issue.

endeavors to set one part of our people against the other by fomenting our differences of opinion regarding slavery and the incorporation of Texas. He then went on to argue anew that annexation was not a sectional issue at all, and urged that as a reply to the outrages and misrepresentations of our truculent neighbor the best course would be to act promptly in that very business.<sup>2</sup>

By this time public opinion was setting more and more strongly in favor of his wishes. How the prospect that success was to attend that measure affected the people, two illustrations will suggest. A little later, at a meeting held in New York City, Mike Walsh stated that only a few months before, when he had asked Silas Wright publicly why he did not vote for the acquisition of Texas, the question had been denounced as impertinent and treasonable, but since the people had been seen to favor the project, Wright had been hissed at Tammany Hall for recreancy in that very cause. In Augusta, Maine, the county court-house had been large enough to accommodate all the friends of Texas; but no sooner did the absorption of that country become highly probable than crowds overflowed the capitol, eager to show themselves on the popular side. Prompt annexation was decidedly "in the air"; and the fact that coolness toward the measure was no longer required of any one by party loyalty, the election being over, helped in many cases to bring forward recruits. In the Ohio legislature, which was decidedly Whig, a prominent member of that party moved that the delegation in Congress be instructed to oppose the project, but his motion was laid on the table. The *New York Courier and Enquirer* showed the set of the wind by going over to the administration side. The *Pennsylvanian* remarked: "We are just beginning to awake to the vitality of the Texas question,"—that is to say, the loss of a market for Northern manufactures which the possession or control of that country by England would entail. At the same time, many still unfriendly to the measure, perceiving that it was almost certain to be carried through, allowed themselves to be borne along passively by the rising tide.<sup>3</sup>

<sup>2</sup> Richardson, Messages, iv., 353. (Shannon-Rejón Correspondence) Ho. Ex. Doc. 19, 28 Cong., 2 sess., pp. 8-31. Rejón lauded the North, and denounced the South as shamelessly dishonorable. The language of Shannon, the American minister, was tactless and rasping yet in line with Calhoun's instructions to him; and it was suspected that Calhoun's purpose was to draw from Mexico something that would assist the annexationists by exciting the public.

<sup>3</sup> *Nat. Intell.*, Feb. 25; March 18, 1845. (Ohio) Pratt to Polk, Dec. 12, 1844: Polk Pap. Melville to Id., Dec. 17, 1844: *ib.* Penn.: Wash. *Globe*, Dec. 12, 1844.

This does not mean, however, that all opposition ceased. The Boston *Atlas* for example exclaimed: "Massachusetts cannot—she must not—she will not submit to the annexation of Texas." The *National Intelligencer* ridiculed the arguments put forward in its favor. According to the Richmond *Enquirer* most of the "Whig scribblers" at Washington sat in the seats of the scornful, and undeniably the New York *Evening Post* could be found there. "'Now or never' was the cry last winter," it sneered; "'Now or never' will be the cry this winter; and, if the matter be postponed, 'Now or never' will be the cry next winter"; and it reminded its readers how Dr. Wallcott soothed his impatient country cousins by remarking, "Don't be afraid; St. Paul's can't run away." Finally in January, 1845, the anti-annexation sentiment in Massachusetts rose to the pitch of a convention, and a strong address was issued, the first part of which came from Webster's pen.<sup>4</sup>

Meanwhile the Democrats themselves, though confident of popular support in the Texas movement, felt by no means sure of carrying it through at once. Calhoun thought the prospect "pretty fair" in the House, and could hardly believe that should the measure pass there, it would be thrown out by the Senate. Apparently, so the Newark *Advertiser's* Washington correspondent wrote, it was planned that the Southern Democrats should relax their opposition to the tariff, and the Northern wing relax theirs to the absorption of Texas; but the friends of Van Buren had neither forgotten nor forgiven the Baltimore convention, the lack of cordiality between the two branches of the party often seemed too great to be bridged, and Calhoun's urging the measure in the interest of slavery threatened to prevent Northern men from supporting it so long as he remained in power. Near the close of December a conference was held, and it then appeared that many differences of opinion as to the method of effecting annexation existed; while Giddings assured John Quincy Adams that forty Democrats in the House would vote against every proposition, and that he did not believe the measure could pass. On the latter point Crittenden held the same opinion. Raymond of Texas wrote to his government that the action of the Congress now in session was entirely uncertain so far as this issue was concerned; and Almonte, watching affairs closely in the interest of

<sup>4</sup> *Atlas*, Dec. 26, 1844. *Nat. Intell.*, Dec. 21, 1844. *Enq.*, Jan. 7, 1845. *Eve. Post*, Jan. 13, 1845. Webster, Writings, xii., 192.

Mexico, believed a little before Congress met that nothing would be done in the matter until after the inauguration of Polk.<sup>5</sup>

Foreign utterances continued to exert an influence, and it counted on the side of annexation. The *Atlas* of London printed an editorial on the military aspect of the affair, saying that were Texas under the guaranty of a power able to cope with the United States at sea, we should be permanently checked in that direction as we were already in the north, and that in case of war her separate existence would place our Southern cities "with their inflammable population within the reach of an enemy, and, in fact, open up an easy march to the heart of the Republic." The London Times declared that it could "find no expressions too strong" to convey its opinion of "the enormous misstatements, the excessive bad faith, and the deplorable impolicy" of the annexationists. It described Polk's election as "the triumph of everything that was worst" in American life; and it intimated that England, "in common" with the other states of Europe, was "prepared to resist" the extension of the United States in the Southwest as an act of rapine, calculated to deprive her of a useful ally, to perpetuate slavery, and to create a rival maritime power in the Gulf of Mexico. The London *Morning Post* characterized the designs of this country upon Texas as "merely a development of the savage instinct of the strong to tyrannize over the weak," and announced that "some day the republican monster must be checked."<sup>6</sup>

To make such talk appear the more insulting, because the more groundless, the *Atlas* confessed that "it would be madness to contend that England, in concert with other European powers, had a right to interfere and *mediatise* Texas"; and predicted that the Americans would "never submit to a principle, to which, if once introduced, no limitation could be assigned," since unless all the countries of the western hemisphere were entitled to manage their own political affairs, none were, and the United States themselves had not that right. Nor was this the only admission. "If America," asked the *Atlas*, "proclaimed her right to *mediatise* Ireland, to help her to set up for herself, or to unite to France instead of

<sup>5</sup> Calhoun to Clemson, Dec. 27, 1844: Jameson, Calhoun Corr., 634. Newark *Adv.*, Dec. 9, 1844. (Van B. men) N. Y. *Herald*, Jan. 18, 1845. Lewis to Jackson, Dec. 21, 1844: Jackson Pap., Knoxville Coll. (Conference) Newark *Adv.*, Dec. 31, 1844. Adams, *Memoirs*, xii., 133. Crit. to Barnley, Dec. 28, 1844: Crit. Pap. Raymond, No. 135, Dec. 4, 1844. Almonte, No. 135, Nov. 9, 1844.

<sup>6</sup> London *Atlas*, Oct. 26, 1844. *Times*, Oct. 23; Nov. 15, 29, 1844. *Morning Post*, Jan. 1, 1845.

to England, how long would England endure the insolent assumption?" At the same time King, our minister to France, was urging his government not to disgrace themselves in the eyes of Europe by faltering in the Texan business from a dread of British opposition. France, he felt sure, had no wish to engage in hostilities against the United States; while England herself, he believed, would never fight in this cause, and—even if disposed to do so—could not secure the co-operation of France. "Upon the whole," he said at the end of December, 1844, "I apprehend nothing from European influence upon American questions, if we have the firmness to despise the brutum fulmen of mere diplomatic remonstrance." Such stimuli tended to inflame still further the sentiment already hot in this country. The issue is, exclaimed the chairman of the House committee on foreign affairs, "Shall Great Britain advance another step in political power on this continent?" The New Hampshire legislature passed a series of resolutions by a large majority, declaring that if necessary as against foreign nations, Texas ought to be occupied with an armed force. Even William Cullen Bryant's paper took the ground that whatever might be the claims of Mexico upon that country, she certainly had none that should prevent the United States from annexing it in case of a threat from England.<sup>7</sup>

It was naturally, then, amid a strife of currents and counter-currents that the subject of annexation came into the House in December, 1844. Some positively asserted, and others as positively denied, that the election had settled the question. It was urged that the representatives of the people should make haste and do their bidding; and it was also urged that the legislators of the nation should ponder and deliberate. Many petitions and resolutions from States, organizations, meetings, and groups of individuals, mostly against incorporating Texas but sometimes in the opposite sense, were presented. Tyler's later Message fanned the flame. Shannon's obvious blundering made one anxious to ignore his proceedings, but the language addressed to our representative by the Mexican Minister of Foreign Relations was so exasperating and insulting that it could not possibly be forgotten at once.<sup>8</sup>

<sup>7</sup> *London Atlas*, Dec. 3, 1844. King, No. 4, Oct. 6; No. 6, Nov. 15; No. 9, Dec. 31, 1844. King's despatches were not published but his opinions were probably made known in Congress. Id. to Calhoun, private, Dec. 28, 1844; Jameson, Calhoun Corr., 1013. (Ingersoll) *Boston Post*, Jan. 15, 1845. (N. H.) *Wash. Globe*, Jan. 4, 1845. *Eve. Post* (semi-weekly), Jan. 22, 1845.

<sup>8</sup> *Cong. Globe*, 28 Cong., 2 sess., 25, 61, 78, 89, 92, 98, 100, 120, 127, etc.

In about a week after the session began, Ingersoll moved a joint resolution embodying the substance of the treaty. This proposition had one great advantage, since it was known officially that Texas would accept the terms, but it suffered from a counterbalancing weakness, for the treaty had been despised and repudiated. Besides, the terms themselves did not meet all the difficulties that rose up in the minds of the legislators. These were mainly of four kinds. The first concerned the boundaries of Texas. It was known by all that a part of the territory claimed by her certainly belonged to Mexico still, and that another portion of her asserted frontier was overshadowed with grave doubt; and there was a fear that so immense a State, should it remain intact, would eventually have a dangerous number of Representatives in Congress. The second difficulty had reference to slavery. It was felt by not a few that something definite ought to be determined about that in order to forestall another Missouri agitation, and yet many shrank from the subject. In the third place the question of assuming the Texan debt provoked great differences of opinion, for while many advocated that course, others denied its constitutionality and the wisdom of establishing such a precedent. Finally, there was disagreement on the question whether Texas ought to be received as a State or as a Territory. Consequently Ingersoll's measure, though it represented the Executive and the committee on foreign affairs and had been mediated upon for some time by Calhoun, failed to satisfy, and other propositions were brought forward.<sup>9</sup>

The first of these came from Weller, a Democratic Representative from Ohio, on the nineteenth of December. His plan provided that Texas should become a Territory, that her public lands should be used to pay her debt and that a commission should determine the boundary; and the scheme met with considerable favor, one reason for which was its avoidance of the dreaded slavery issue. Four days later Stephen A. Douglas of Illinois offered a joint resolution. This was similar in substance, though it rested frankly upon the alleged obligation of the United States, under the treaty of 1803, to receive the inhabitants of Texas; and many on the Democratic side of the House found it satisfactory. Tibbatts, a Kentucky Democrat, followed with a resolution based on the same treaty, which contemplated the admission of Texas as a State no larger

<sup>9</sup> *Cong. Globe*, 28 Cong., 2 sess., 26. Calhoun to Howard, Sept. 12, 1844: State Dept., Arch. Tex. Leg.

than the largest member of the Union, her debt (with the exception of a specified small amount) to be paid with the proceeds of the sales of her public lands, and her territory to be "free" north of the Missouri Compromise line. Numerous other plans were proposed, ringing the changes on the points of dispute; but the only one of these requiring our attention was the concise and simple proposition introduced by Milton Brown, a Tennessee Whig, which provided that the territory rightfully belonging to the republic of Texas might become a State, referred the adjustment of her boundary to the government of the Union, assumed neither her debt nor her public lands, left the question of slavery south of the Missouri Compromise line optional with the people, and prohibited involuntary servitude in the insignificant northern portion.<sup>10</sup>

Before the end of December was reached, the advocates of annexation felt manifestly impatient. "Let not procrastination be the thief of Texas"; let no time be given to foreign nations for intrigues and machinations, was Ingersoll's exhortation. Two caucuses were held by the Democrats, and finally they decided that the best method would be to try the chances of debate, letting every plan have its opportunity on the floor and adopting the one that should prove most likely to satisfy a majority of the House. Accordingly, on the third day of January, 1845, the matter was placed before the Representatives by moving to take up the joint resolution of the committee on foreign affairs; and a flood of argument ensued.<sup>11</sup>

<sup>10</sup> Raymond, No. 136, Dec. 30, 1844. *Cong. Globe*, 28 Cong., 2 sess., 49, 65. A. V. Brown to Polk, Jan. 1, 1843 [1845]: Polk Pap. *Cong. Globe*, 28 Cong., 2 sess., 76, 84, 97, 107, 129, 165, 173, 192. Brown's resolution was drawn after consultation with Alex. H. Stephens (*Am. Hist. Rev.*, viii, 93). It was presented Jan. 13, 1845.

<sup>11</sup> *Cong. Globe*, 28 Cong., 2 sess., 68, 84, 87. (Caucuses) *Nat. Intell.*, Jan. 6, 1845. Very little was now said about the danger of enlarging the area of the United States. Severance of Maine took the position that if Texas was really independent, annexation was needless, and if not, it was wrong. Reference was made to the argument that annexation would be an act of bad faith and produce war; but Ingersoll declared that he was authorized to pronounce hostilities with Mexico improbable, whatever this country should do, and the prevalent opinion appeared to be that as Santa Anna had been overthrown by a revolution and succeeded by a government too feeble to hold Texas even had she been restored to them, there was no longer any occasion to consider that country in the matter; and some insisted still on the view that she had nothing to do with it anyhow, since Texas had always been free sovereign and independent. Even J. Q. Adams felt (*Mem.*, xii, 171) that the recent Mexican revolution had destroyed the only insurmountable objection against annexation. The military argument came up of course. Some asserted that Texas was of more strategic value to the United States while independent than she would be if annexed; and a Western man declared that New Orleans would be defended by the people of the Mississippi valley without help. The authority of Jackson was urged in reply. The other side retorted by pronouncing him a brave soldier but no strategist; and they



More and more clearly it came to be seen, as the days passed, that a substantial majority desired the annexation of Texas, yet that differences of opinion, sectional disagreements, the rivalries of leading politicians, and the hostilities of cliques threatened failure.

were then assured that at all events the country would prefer his opinion to theirs. It was argued strongly that the acquisition of Texas would give the United States a monopoly of cotton; but it was answered with equal positiveness that a monopoly of cotton was impossible, since it would grow anywhere under certain climatic conditions. Annexation was described as a sectional measure for the benefit of the South. In reply some demanded why that was objectionable, pointing out that the Northeastern boundary was a Maine issue yet the country had stood together upon it. Any acquisition of territory, it was urged, must necessarily be more or less sectional, and as for the officials of the government, it was natural and proper enough that Southern sympathies should be exhibited by Southerners. Others declared that annexation was more a Western than a Southern issue. Douglas asserted this, maintaining that Texas must be secured in order to have control of the navigation of the Mississippi and the Gulf. The enormous value of Texas was dwelt upon by the annexationists and ridiculed by their opponents. J. R. Ingersoll was reported as declaring that it consisted of nothing but marshes, hummocks, tadpoles and terrapins. Such was not Lord Brougham's opinion, retorted Hammett of Mississippi. The standard argument of the Texas "markets" appeared more than once, and it was answered that all the purchasers would be people from the North, who would need more goods if they remained in the colder climate and would have more money with which to purchase. The aim of the measure was to increase the anti-tariff forces, it was suggested; and Stone of Ohio asserted that here lay the source of the opposition against annexation. But an answer was ready: If Texas is not incorporated she will adopt free trade; and the smuggling will injure the New England manufacturers. It was also argued that the South would be driven from the business of raising cotton by Texas competition, and would have to sow grain instead; and that the West, suffering from this invasion of its field, would have to take up manufacturing, and so New England would be injured again. Annexation, it was said, will develop the coast trade and create a school for the navy. This argument was not answered; but the House was assured that the United States, whatever the law might be, could not avoid liability for the Texas debt, and that no one on earth could tell the amount of it. The advocates of annexation aim at disunion, it was again charged. That cannot be, was the ready answer, for Jackson favors the measure. One argument even J. Q. Adams confessed could not be refuted,—the argument that nature meant the region for us and therefore we must have it! and in one sentiment all appeared to concur,—that foreign interference must not be tolerated. Once—once only perhaps and then but faintly—the note of expansion was heard, Brinkerhoff of Ohio suggesting among other things that Texas would be needed as a home for later generations.

The question of slavery continued to make great trouble. C. J. Ingersoll maintained that except for unfounded fears lest the acquisition of Texas should extend that institution, the American people were more united on this measure than upon any other question; but all recognized this exception as a very serious one. Over and over again Northern men charged that annexation was a scheme to extend and perpetuate the system of human bondage. The replies to the charge were various. Some declared that slavery was guaranteed to the South by the constitution, and the government were bound to protect it. No, retorted anti-slavery men indignantly, slavery is merely tolerated by the constitution and is not a national affair. Others declared that the annexation of Texas, instead of promoting slavery, would prove a serious blow to it; and some, like Alexander H. Stephens, protested vigorously that no national interference in behalf of that institution was desired or desirable. It was also pointed out that were Texas to remain independent, the whole of that vast area would be slave territory, and slavery might be carried some day into Mexico and Central America. Walker's

To blaze a trail, Rhett suggested that a vote be taken on the first part of Douglas's resolution, which was the abstract proposition that Texas be admitted to the Union; but this idea was not received with much favor. It seemed necessary to eliminate in some way

theory came out that she would draw slaves from the middle States; but this was met with the question, Why then have not Louisiana and Arkansas done so? It was urged that the acquisition of Texas was necessary to provide the freedmen with a passage out of United States territory into Mexico, or, even should slavery continue to exist in this country, to prevent the rapid increase of the blacks in our southern States from leading to a war of extermination there. Why should not Texas be acquired for the express purpose of extending slavery, demanded some; the North is growing towards the West and the abolitionists are becoming dangerous. But they were met with the reply, No responsible person thinks of interfering with slavery where it is; it needs no defence; and the attempt to extend it will help the abolitionists. Of course, too, all the strong objections to the institution bore upon the same point. The negroes of Texas would be better off under American laws, it was also urged. Amid all this variety of opinions one feeling appeared to gain steadily in strength: the necessity of doing something definite on the subject in the act of receiving Texas. Some upheld the view that unless such a provision were made, the South would claim the whole territory later. Stephens said it would be better to forego the acquisition than bring into the Union a subject of discord. Hale of New Hampshire proposed that any bill for annexation should contain a proviso dividing Texas into two parts, one slave and one free. This showed the Northern desire, but was evidently more than the South could be expected to concede.

A kindred difficulty was the charge that in urging annexation the Southerners aimed to increase the power of their section in the national government. Some replied to this assertion that the South had a right to her share of the control, but was not trying to dictate, for, said Rhett, the North is evidently destined to dominate the nation, and it would be useless for the South to struggle against fate. Others went farther, retorting that it was the North which was determined to rule, and that the purpose of its domination was to oppress the South with a protective tariff and an anti-slavery crusade.

The question of constitutionality also came up. Winthrop of Massachusetts paid particular attention to this phase of the subject. To admit a foreign nation as a State would be to admit a new partner into the Union; this would require a new compact; and a new compact could be drawn by the people alone, it was argued. The power given Congress to admit new States had sole reference, the speakers often urged, to the territory already belonging to the United States,—particularly to Colonies that might not at once accept the constitution; the territory of Texas must therefore first be acquired; it can be acquired only by agreement; any agreement with a foreign state is a treaty; the business of making treaties belongs to the President and Senate; and so those who favor the annexation of Texas by an act of Congress would destroy the constitution by too broad a construction of it. In reply it was maintained that the old time Federalists were making themselves ridiculous by insisting now upon an absurdly narrow view of the organic law; that in fact the language of the constitution was perfectly clear and precise: "New States may be admitted by the Congress into this Union." Jefferson thought otherwise, it was retorted; but even this did not check the march of the annexationists. Not all agreements with foreign nations are treaties, it was pointed out. The name of Marshall was cited in behalf of this view; and the power to admit new States, expressly given to Congress, was pointed to as full and adequate authority to accept a new partner. Vermont and North Carolina were foreign nations when admitted to the Union, it was even insisted; but attention was called in reply to the fact that both had fought in our Revolutionary war, and both were included in the territory over which the treaty of 1783 gave the United States jurisdiction. The proceedings of the convention of 1787, one side maintained, proved that it was the intention to admit States arising from foreign territory, and one aim of the constitution was said

all but the most popular of the plans, and so force an agreement upon that. Kennedy of Maryland, to do something in this way, declared that Ingersoll's was a scheme to confirm a treaty rejected by the Senate; Weller's a scheme to extend the jurisdiction of the United States over a foreign nation; and Douglas's a scheme to revive a dead treaty by strangling three live ones. Dromgoole of Virginia, who was regarded as in some respects the Democratic leader in the House, rose on the twenty-fourth of January and spoke as follows: It is time to be practical and definite; Texas is independent, and we need not go behind that fact; propositions based upon the treaty of 1803 are not becoming, for we have recognized her as a sovereign nation; the plan of the committee on foreign affairs is the expiring effort of Tylerism, the recrudescence of a hastily drawn treaty already rejected by the Senate, and I will not vote for it; propositions to receive Texas as a Territory are unsuitable, for the bare acquisition of foreign soil would require a treaty, and it is too late now to open negotiations, besides which, if she come to us in that guise, we must necessarily assume her debt;

to have been the prevention of adjacent confederacies; but these assertions were denied. On one point the opponents of the measure were rather neatly caught. Texas, it was reasonably argued, can certainly be acquired somehow by the American government; the enemies of the treaty said last winter that such an acquisition could not be effected by the treaty-making power; hence Congress must possess the necessary authority. In reply, some admitted that they had been in error; some took the ground that the power belonged solely to the people; and some retorted that the great number of annexation plans proved that the friends of that scheme understood very well the constitution would have to be circumvented in one way or another. The purpose of the constitution, others argued, was to defend the weak parts of the Union; the South, endangered by English designs, was now the weak part; therefore the intent of the constitution would be fulfilled by protecting her. One speaker took still bolder ground, declaring that since it was the will of the people to acquire certain territory, the method of doing so was a point of no great importance; but it was easy to meet him by emphasizing the duty of Congress to obey the organic law.

Then there were certain minor constitutional points. The Texas Senators and Representatives, it was objected, would not have lived in the United States the required number of years. This difficulty it was proposed to meet by inserting a permissive clause in the annexation law, by holding that Texas had been a part of the United States ever since 1803, or by inferring from her absolute equality with the other States after her admission that her Representatives would necessarily enjoy a full right in the national legislature. It was also argued that the incorporation of that territory would be in effect an importation of slaves, which had been illegal since 1808; but this was regarded as a far-fetched objection, and those who made it were reminded that Adams and Van Buren had not been deterred by this consideration from endeavoring to purchase the territory in question. Complaint was made that in entering the American Union Texas would have to surrender her sovereignty, which only the people had the power to do; but this was answered on the one hand by replying that she would surrender her sovereignty no more than did the thirteen colonies in forming this Union, and on the other by proposing that the people of Texas, in convention assembled, should consent to the absorption of their country.

both the history and the wording of the constitution prove that Congress has power to admit her at once as a State; the only real difficulty is slavery; and in my opinion the proper course as to that is to apply the Missouri Compromise line.<sup>12</sup>

The plan which had seemed most likely to succeed was the one offered by Boyd of Kentucky. The Democratic caucus preferred it, and Douglas finally accepted it in lieu of his own. But this was substantially the same as Brown's; and so, as it was desirable to have the votes of a group to which the Tennessean belonged, the party decided to adopt the latter proposition. In the evening of January 23 a caucus was held. It was now believed that 105 Democrats and 8 Whigs—a safe majority—could be counted upon; and on the twenty-fifth discussion ended at two o'clock in the afternoon. After several propositions had been brushed aside, Brown's came before the House. At the request of Douglas, the mover added an explicit declaration that—as the language already implied—slavery should not exist north of the Compromise line; and at length, after various parliamentary formalities had been complied with, the resolution passed by a vote of 120 to 98.<sup>13</sup>

<sup>12</sup> Wash. *Globe*, Jan. 6, 1845. *Herald*, Jan. 15, 1845. *Cong. Globe*, 28 Cong., 2 sess., (Rhett) 89, (Kennedy) 124, (Dromgoole) 186. (Leader) N. Y. *Tribune*, Jan. 25, 1845.

<sup>13</sup> *Cong. Globe*, 28 Cong., 2 sess., 171. Wash. *Globe*, Feb. 14; March 22, 1845. A. V. Brown to Polk (Polk Pap., Chicago): "The Tennessee Whigs voted with us but we had to take it on Milton Brown's resolutions." *Cong. Globe*, 28 Cong., 2 sess., 171, (Collamer) 181. N. Y. *Tribune*, Jan. 25, 1845. *Cong. Globe*, 28 Cong., 2 sess., 190-194. The anti-slavery men were particularly angered by the "derisive" provision about States formed north of 36° 30', for they did not believe Texas owned any land above that line.

The resolution was as follows (in the form finally adopted by Congress the words here italicized were dropped, and the words bracketed were added: Sen. Doc. 1, 29 Cong., 1 sess.): "Joint Resolution. Declaring the Terms on which Congress will admit Texas into the Union as a State. Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress doth consent that the territory properly included within, and rightfully belonging to the republic of Texas, may be erected into a new State, to be called the State of Texas, with a republican form of government, to be adopted by the people of said republic, by deputies in convention assembled with the consent of the existing government, in order that the same may be admitted as one of the States of this Union. Section 2. And be it further resolved, That the foregoing consent of Congress is given upon the following conditions, and with the following guaranties, to wit: First. Said State to be formed, subject to the adjustment by this government of all questions of boundary that may arise with other governments; and the constitution thereof, with the proper evidence of its adoption by the people of said republic of Texas, shall be transmitted to the President of the United States, to be laid before Congress for its final action, on or before the first day of January, one thousand eight hundred and forty six. Second. Said State, when admitted into the Union, after ceding to the United States *all mines, minerals, salt lakes, and springs; and also all public edifices, fortifications, barracks, ports and harbors, navy and navy yards, docks, magazines, arms, armaments, and all other property and means pertaining*

Eight Whigs supported it, four of whom came from Tennessee, two from Georgia, one from Alabama, and one from Virginia. Fifty-three Democrats from free States and fifty-nine from the South did the same, while Gidding's forty irreconcilables proved to be only twenty-eight. Out of 133 men classed as Northerners eighty stood for the negative. According to the *Washington Globe*, some twenty-seven went against the resolution merely because the compromise line was not what they had given their constituents reason to expect; and ten New York Democrats placed themselves on the same side to conciliate the abolitionists in their districts. Four of that party from Maine explained their negative votes afterwards by saying that Texas should have been divided into equal or nearly equal free and slave sections; and Raymond informed his government that as a rule the adverse Northern Democrats expressed themselves as friendly to annexation provided further restrictions touching slavery could be imposed. From this it would appear that the sentiment in favor of the measure was much stronger than the verdict. On the other hand, the *National Intelligencer* maintained that had both parties represented strictly the

to the public defence belonging to said republic of Texas, shall retain all the public funds, debts, taxes, and dues of every kind, which may belong to or be due or owing said republic; and shall also retain all the vacant and unappropriated lands lying within its limits, to be applied to the payment of the debts and liabilities of said republic of Texas; and the residue of said lands, after discharging said debts and liabilities, to be disposed of as said State may direct; but in no event are said debts and liabilities to become a charge upon the government of the United States. Third. New States, of convenient size, [not exceeding four in number, in addition to said State of Texas,] and having sufficient population, may hereafter, by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the federal constitution. And such States as may be formed out of that portion of said territory lying south of thirty-six degrees thirty minutes north latitude, commonly known as the Missouri compromise line, shall be admitted into the Union, with or without slavery, as the people of each State asking admission may desire. And in such State or States as shall be formed out of said territory, north of said Missouri compromise line, slavery, or involuntary servitude, (except for crime,) shall be prohibited (*Wash. Globe*, Feb. 28, 1845)."

At first sight it appears impossible that the advocates of annexation should cordially have accepted a bill which did not provide for the assumption of the Texan debt. The New York correspondent of the *London Times* (in the *Times* of April 15, 1845) was astonished that the holders of Texas bonds were willing to accept the resolutions; and he said that intelligent, well-informed people did not believe that for fifty years the sales of lands would much more than pay the interest on the debt, yet the *Louisville Journal* (*Nat. Intell.*, Aug. 6, 1845) asserted that the holders of scrip were not only willing but anxious that the public lands and the debt should not be transferred to the United States. The *New York Morning News*, an annexation journal, provided an explanation of the mystery, saying (*Nat. Intell.*, Aug. 6, 1845): "Texas will no doubt drive a hard bargain with us for her lands. To allow them to lie outside of our general land system, under-selling all the rest of the West, will never do."

popular feeling of their States, there would have been an adverse majority of twenty; and the Springfield *Republican* asserted later that out of sixteen Northern men—by whom it seems to have meant Representatives from New England, New York and New Jersey—who voted for the resolution, thirteen were appointed to offices within a few months.<sup>14</sup>

While these events were occurring in the House, the Senate was neither unmindful nor inactive. This body, according to the London *Times*, was the only American institution commanding respect abroad; and here at least the cause of right, whatever that might be, was expected to triumph. A torrent of petitions and resolutions against annexation poured in like that which inundated the House, together with a smaller number in favor of the measure; and also a slender stream of propositions to annex Canada made its appearance, obviously intended to suggest the career of aggression and foreign difficulties in which the friends of Texas might involve the nation, and so operate as a flank movement against them.<sup>15</sup>

Only a week after the session began McDuffie re-introduced his joint resolution. This embodied the treaty, as Ingersoll's plan had done; and it was recognized as the administration measure. Evidently, however, the proposition had no chance of success. Clay suggested that it be amended by asking the consent of Mexico, refusing to assume the Texan debt, excluding slavery, and the like, which showed that unless the leopard would change his spots, the Whigs were not likely to receive him; while Blair of the *Globe* did what he could to rouse the Northern annexationists against the proposition by insisting that the object of presenting the treaty in this new form to the very men who had rejected it originally, was to defeat the project once more. At the same time many understood that the resolution was in reality a thrust aimed at Benton and Wright. Cave Johnson said they would be forced to accept the treaty or appear before the country as hostile to Texas. Calhoun, he explained, thought he had the advantage of his enemy on this issue, and intended to "drive him home upon it." Calhoun's friends therefore, inferred Johnson, would accept nothing else; and the

<sup>14</sup> Boston *Atlas*, Jan. 28, 1845. (133) Tyler, Tyler, ii., 360. Wash. *Globe*, Feb. 7, 1845. Portland *Amer.*, Jan. 29, 1845. (N. Y.) C. Johnson to Polk, Feb. 3, 1844 [1845]: Polk Pap., Chicago. Raymond, No. 140, Jan. 27, 1845. *Nat. Intell.*, March 25, 1845. Springfield *Repub.*, Aug. 2, 1845.

<sup>15</sup> *Times*, Jan. 10, 1845. *Cong. Globe*, 28 Cong., 2 sess., 73, 75, 92, 98, 113, 128, 154, 171, 232, 237, 266, 295, etc.

friends of Wright and Benton would certainly not accept that. Consequently the chance of passing McDuffie's resolution, or in fact any annexation measure, appeared extremely small.<sup>16</sup>

The Missouri Senator, greatly excited by this renewal of what Johnson termed "the great battle" between him and the Secretary, stalked about in a rage; but he did not shrink from the contest. At heart he was in a much softer mood regarding the immediate acceptance of Texas than previously he had been, and about the middle of September Blair had felt sure that he would go "the whole length" with the Sage of the Hermitage to effect annexation, even at the cost of a war with England, France and Mexico. But the Senator would not be driven by Calhoun even in the direction of Nashville. Accordingly, the next day after McDuffie's resolution was offered, he introduced his former bill, plus an amendment intended to partition the territory, as equally as possible, into a free half and a slave half. His real purpose, the Mexican consul at New Orleans was assured by a Washington correspondent, was to divide the Senate so that no action could be taken during that session, and John Slidell, a Louisiana Representative, expressed the opinion that his bill would have such an effect. "Annexation at present is dead," wrote Cave Johnson three days after this move was made, unless the situation should change in some improbable fashion. Sternly, point to point, the two champions faced each other. Benton asserted that his rival's aim was to involve the country in a war with Mexico, so that the North—refusing to support it—would give the South an excuse for dissolving the Union; and McDuffie retorted that Benton, after assuring Mexico that it would be an outrage to annex Texas without her consent, now proposed to do exactly that.<sup>17</sup>

About the middle of January Senator Archer of Virginia announced for the committee on foreign relations that owing to the number of plans already submitted, the action of the House of Representatives would be awaited. When the passage of Brown's resolution by that body was officially made known to the Senate on the twenty-seventh and its concurrence invited, the resolution was re-

<sup>16</sup> *Cong. Globe*, 28 Cong., 2 sess., 16. C. Johnson to Polk, Dec. 12, 1844: Polk Pap. Clay to Crit., Dec. 16, 1844: Crit. Pap. Blair to Jackson, Jan. 3, 1845: Jackson Pap. Johnson to Polk, Dec. 18, 1844: Polk Pap.

<sup>17</sup> Johnson to Polk, Dec. 12, 1844: Polk Pap. Blair to Jackson, Sept. 9, 1844: Jackson Pap. *Cong. Globe*, 28 Cong., 2 sess., 19. Arrangoiz, No. 142 (res.), Dec. 21, 1844. Slidell to Jackson, Dec. 15, 1844: Jackson Pap. Johnson to Polk, Dec. 14, 1844: Polk Pap. (McDuffie) Tyler, Tyler, ii., 333.

ferred in due order to Archer's committee, and silence then resumed her sway. Two days later a Senator observed that it was hoped Lazarus would come forth some time the following week, and at length on the fourth of February the stone was rolled away. At that time a report was presented; and this was found to recommend the rejection of the House resolution, and to propose laying on the table everything now before the committee that had reference to the subject of annexation. January 9 Clay had written to Crittenden endorsing the determination of the Whig Senators to leave the subject to the next administration; and this report was evidently designed to carry out the scheme. The document itself, whether purposely or not, had a tendency in the same direction, for it was extremely long, abstract, circumlocutory and involved. According to the *Globe* it required some ten days to make out what was meant. "We have read this document through and through," proudly announced the editor of the *New York Morning News*; "Yes, we are *the* person who has read it through." The ostensible objects of the committee were to prove that the passage of the House resolution would be unconstitutional, and also that its terms were open to serious criticism. In these aims they did not appear to succeed, but they indicated plainly enough that a strong Whig element in the Senate could be reckoned upon still as opposed to immediate annexation.<sup>18</sup>

Meanwhile sentiment was changing somewhat on the Democratic side. Under Benton's turbulent will and bitter animosities, observed Catron, lay a "conservative and conciliatory spirit," and softening influences were at work upon him. He did not wish to prevent the acquisition of Texas, and he did wish to please Jackson and to regain good standing in the party, as Jackson urged him to do. Donelson wrote to him that he was injuring his friends and his country by pursuing such a course, and indicated frankly the objectionable features of his bill; and this candid expostulation doubtless had weight. By the first of January he reached the point of saying that he would obey cheerfully at the session of Congress then

<sup>18</sup> *Wash. Globe*, Jan. 14, 1845. *N. Y. Journ. Com.*, Jan. 16, 1845. *Cong. Globe*, 28 Cong. 2 sess., 194. *Wash. Globe*, Jan. 29, 1845. *Cong. Globe*, 28 Cong., 2 sess., 240. Report: Sen. Doc. 79, 28 Cong., 2 sess. Clay to Critt., Jan. 9, 1845; Coleman, Critt., i., 226. *Wash. Globe*, Feb. 13, 1845. *News: ib. Nat. Intell.*, Feb. 10, 1845. The report argued that a foreign nation, in order to be admitted to the Union, must first be resolved somehow "into its component elements of population and territory," and then "pass through the ordeal *sieve* of the treaty-making power."



proceeding; and before the month was out, in response to a message from Jackson that "brightened" his face, he replied that he intended to accomplish something for the cause of Texas. The Missouri legislature had now declared that annexation was demanded "at the earliest practicable period" by a majority of the people of the State, and requested their representatives in Congress to exert themselves in that direction, expressing at the same time a preference that the territory should not be divided into slave and free. This resolution was not intended in a sense unfriendly to the Senator; but it indicated a state of feeling that might easily become antagonistic if stubbornly resisted.<sup>19</sup>

Moved by these influences, Benton decided to modify his bellicose attitude, and on the fifth of February he introduced a new bill. In this nothing was said about obtaining the consent of Mexico, and no precise terms of annexation were specified; but it was provided that a State, "to be formed out of the present republic of Texas, with suitable extent and boundaries," should be admitted to the Union "as soon as the terms and conditions of such admission, and the cession of the remaining Texan territory to the United States" should be agreed upon by the two governments; and \$100,000 were to be appropriated for the expenses of negotiating. This proposal, Blair stated, was designed to meet as nearly as possible Jackson's views; and he added that Raymond was perfectly satisfied with the plan; that Polk's brother-in-law considered it the best yet offered, and that all except the Calhounites preferred it to the House resolution. Certainly much could be said in its favor.<sup>20</sup>

Benton's biographer has expressed the opinion that the purpose of the bill was probably to head off the rising opposition in Missouri; but it did not prevent opposition elsewhere. Again the mountain has brought forth a mouse, exclaimed the *Madisonian*,—the same mouse, only minus its tail; and it proceeded to pour vitriol upon "this amputated vermin, this spawn of a conglomeration of defection and treachery," as expressly designed to preclude the immediate

<sup>19</sup> Catron to Polk, Feb. 5, 1845: Polk Pap., Chicago. Jackson to Blair, Sept. 19, 1844: Jackson Pap. Blair to Jackson, Dec. 25, 1844: Jackson Pap. Don. to Calhoun, private, Dec. 26, 1844: Jameson, Calhoun Corr., 1011. Id. to Jackson, Dec. 28, 1844: Jackson Pap. Brown to Polk, Jan. 1, 1843 [1845]: Polk Pap. Blair to Jackson, Jan. 30, 1845: Jackson Pap. *Nat. Intell.*, Jan. 3, 1845. J. C. Edwards to Polk, Dec. 6, 1844: Polk Pap.

<sup>20</sup> *Cong. Globe*, 28 Cong., 2 sess., 244. Blair to Jackson, Feb. 9, 1845: Jackson Pap. Benton explained that terms were not specified because it was difficult to agree upon them, and because it was more natural, practicable and respectful to Texas to settle them by negotiating.

acquisition of Texas, and intended ultimately to "ignite a political volcano" that would place Polk's administration at the mercy of its author. The bill, said Calhoun later, would have killed annexation, for the result must have been a treaty, should Texas have been willing to make one, and that would certainly have been defeated in the Senate. The Secretary was now confined to his rooms with a dangerous congestive fever that left him hectic and emaciated, with a glazed eye, a hacking cough and a feeble walk; but he took, as he said, "a most decided stand" against the measure; while Texas protested in the *National Register* that the bill was designed merely to keep the annexation issue alive for Benton's political profit, that such a plan settled nothing but unsettled everything, and that it would be "better at once to extinguish the nation than to doom it to a state of wasting, *lingering* decay." "We can neither *beg, give, sell* nor *purchase* ourselves into the Union. The boon of independence seems forced upon us even against our will," exclaimed the *Register* with genuine or well simulated bitterness.<sup>21</sup>

McDuffie and Benton, however, did not monopolize the creative power of the Senate. Niles of Connecticut proposed that Texas be admitted as a State not larger than the largest already in the Union, and that the rest of her area—excluding all over which Mexico had actual jurisdiction—should be ceded to the United States as a Territory; and Ashley of Arkansas offered a resolution which provided for reducing her extent by authorizing its partition into not more than five parts, each to become a State. The only plan requiring notice, however, besides Benton's was that of Foster, a Whig from Tennessee, which was a duplicate of Brown's. Foster's motive was seriously

<sup>21</sup> Meigs, Benton, 351. Meigs adds that Benton hoped this bill would prevent action before March 4. *Madis.*, Feb. 6, 1845. Calhoun to Don., May 23, 1845: Jameson, Calhoun Corr., 658. Wharton, Feb. 18, 1845: *ib.*, 644. *Texas National Register*, March 1, 1845. Another circumstance perhaps assisted in causing Benton to offer his second bill. A proposition embodying Jackson's views, and therefore supported by his influence, had been introduced on Jan. 14 by Haywood of North Carolina (*Cong. Globe*, 28 Cong., 2 sess., 134; App., 155, *Wash. Globe*, March 26, 1845). This plan was drawn up at the request of Blair and directly in consequence of suggestions coming from the Hermitage, and it met with not a little favor (Blair to Jackson, Jan. 3, 1845: Jackson Pap.) In presenting the bill its author said that he desired to separate the principle of annexation from the method of acquiring the territory; to dispose of the slavery difficulty, which alone prevented annexation from being the most popular question ever submitted to the nation and made it impossible to secure a majority for the measure in the Senate, and to reach in a manly way, if that were possible, an agreement regarding the terms upon which Texas would be accepted. Until the resolutions of Brown were passed by the House, the chances for Haywood's bill seemed quite favorable; but, having to avoid so many difficulties, it was a long, tedious and exceedingly involved piece of legal composition.

called in question. The Nashville *Union* stated positively that he said he did not expect the Democrats to accept his resolution, but thought it would take from them their "sweetest bone"; and Blair, explaining that the bone was Texas, charged him with aiming to cause division in the ranks in order to prevent annexation.<sup>22</sup>

Many friends of that cause felt disturbed to see time passing and nothing accomplished, but the *Madisonian* was more philosophical. Now that the House has adopted the resolution it is safe, remarked the editor; no Senator "will dare attempt to murder it in any of the gloomy Gothic cells of the Capitol," and the period of delay will give time for the sentiment of certain States to reach their representatives. Even the patience of the *Madisonian*, however, had been thoroughly tried when, on the thirteenth of February, the recommendations of the committee on foreign relations were brought up for action, and Archer formally moved the indefinite postponement of the House resolution; and its patience was then still further exercised, for a long debate began. Ten days before, Senator Bagby had protested that the time for discussion was past, but evidently nothing could prevent the flow of oratory.<sup>23</sup>

Probably a few of the members followed the speeches with attention, but the real character of the greater part of the debate was perhaps indicated by the fact that eighteen were eager to speak when only twelve would consent to listen. Men talked largely for effect upon their own political fortunes. Certain Senators, however, were listened to with intense interest, for their course was uncertain. Merrick, a Whig from Maryland, was one of these. The New York *Tribune* asserted that he was "purchased"; but he himself attributed his action to "the sublime light of reason." The South needs more

<sup>22</sup> *Cong. Globe*, 28 Cong., 2 sess., 99, 278, 127. *Union*, etc.: *Wash. Globe*, April 8, 1845.

<sup>23</sup> *Madis.*, Jan. 31, 1845. *Cong. Globe*, 28 Cong., 2 sess., 278, 247. In this debate many of the old points were simply repeated; but the fear of a Mexican war seemed, in view of the distracted condition of that country, too absurd to press; the need of Mexican consent, now that—for the same reason—Texas appeared to be safe from attack, was thought equally so; the desirability of possessing that territory seemed to have been placed by public opinion beyond the pale of discussion; and the existence of British designs looked, in consequence of the lack of proof and the assurances and apparent inactivity of that power, much less certain that it had previously been supposed by many to be. The questions of slavery and Southern domination, though not lessened of late in importance, seemed to have been pretty well threshed out. The bearings of annexation upon the great question of the tariff were too well understood to require much comment, though Upham of Vermont took occasion to state frankly that phase of the matter as his constituents viewed it. The danger of extending the national area had well nigh ceased to alarm, though Webster clung to that objection firmly still.

protection for its rights and institutions against the North, he argued before the Senate, and by giving it we shall fulfill the intent of the constitution, while the welfare of the Union will be promoted. His course was harshly criticised in his own State and elsewhere; but he replied that although he had voted against the treaty, he was justified in supporting the resolution, since in many respects the

With a certain novelty of form some of the old arguments were restated; and a few new points of minor value came out. The creditors of Texas, it was asserted, had a right to demand that she preserve her sovereignty in order to ensure the payment of her debts; power to acquire territory belonged clearly to the treaty-making power, and precisely the same authority would not have been given to Congress also; the very fact that Texas was a nation and not mere territory made an act of Congress—as distinguished from action by the treaty-making power—essential; to admit the principle of legislating for a section would destroy the constitution. If Texas remain independent, urged Henderson of Mississippi, our discontented will go there from all quarters, and in twenty years that country will have a population of half a million brave, excitable people, producing half a million bales of cotton, who—in alliance with England or France—could do us very great harm. Besides Great Britain must not have two competing sources of cotton. Texas competition is bound to come, argued Colquitt of Georgia, and the only question is whether we or a foreign nation shall have the benefit of those vast resources. Barrow of Louisiana declared that the great reasons—neither of them good—for annexation sentiment in the South were a desire to gain more political power and a fear that England wished to get possession of Texas. The best way to protect New Orleans, he urged, was to complete Fort Livingston, as he had vainly urged more than once already. The New England enemies of annexation are injuring the business interests of their own section to benefit Great Britain, said Allen of Ohio; two-thirds of the American commerce passes through the Gulf of Mexico and there the rivalry of England and the United States must be settled. Upham took the ground that Brown's resolution was the result of Tyler's appeal from the Senate to the House of Representatives, evidently thinking that his colleagues would not care to endorse that appeal. What if this measure be chiefly for the benefit of the South? demanded Woodbury of New Hampshire; the purchase of Louisiana gave eighteen degrees of latitude to the North and only five to the other section. It is monstrous, protested Senator Barrow, to hold that the people decided for annexation in the recent campaign and therefore this body must abdicate its duty to deliberate and decide. We have no right, argued another, to concern ourselves with slavery or republicanism outside of our own country; and England will not try to get possession of Texas at the risk of forfeiting our trade, having a war with us, and so losing Canada. When it was suggested that the Senate had committed itself already by rejecting the treaty, a friend of Texas replied that no precedent had thus been made, for the treaty had proposed to take that country as mere territory. England is laughing at us, exclaimed McDuffie; while she is exerting herself to prevent our annexing Texas, she sees us trying to find reasons for not accepting it.

The vital issue in the Senate, however, was on the question of constitutionality. On the one hand it was urged: It has been clearly settled that the authority of Congress is exclusively domestic; it would be absurd to hold that while the concurrence of the President and two-thirds of the Senate is necessary merely to purchase a bit of foreign territory, a simple majority of Congress can admit a foreign nation to the Union as one of our equal States; such a doctrine is dangerous, for a margin of one member in each branch could introduce any number of alien countries and thus totally change the character of the Union; it is an unwarrantable stretch of the constitution to attribute such a power to Congress, for it evidently belongs to the people alone. The other side, however, was maintained with no less vigor, particularly by Woodbury. The power of Congress is not exclusively domestic, it was urged, since it has authority to deal

circumstances and the terms of the proposition had now changed.<sup>24</sup>

Bagby, an Alabama Democrat, was a no less interesting figure. For some reason he appears to have entertained a personal hostility against the idea of receiving Texas, and his "bar-room tirades" at Washington during the summer of 1844 were ranked with Benton's oratory as injurious to the cause. As a party man and a Southerner he was none the less expected to stand with the Democrats, though the other side also had strong hopes of him. In an evening session, when the crisis had become fearfully acute, he took the floor. Around him crowded the Whigs as if to give support, while his

with foreign nations by declaring war, taking action with reference to loans, and regulating commerce; the treaty-making power was given to the President and Senate merely for convenience in doing that work; a two-thirds majority of the Senate meant originally only a margin of four votes, and certainly that was no safer than a clear majority of both Houses; foreign nations would not be admitted to the Union, for an acceptance of the United States constitution would be necessary and only a similar people, like the Texans, would consent to that; no stretch of the constitution is contemplated, for its language is perfectly clear, precise and unlimited. Both sides appealed with more or less effect to the proceedings of the constitutional convention and the opinions of the Fathers; and in reality each side could make an argument that appeared unanswerable.

Naturally a good deal of fire was concentrated upon the House resolution. Benton pronounced it a mere proposal, limited as to terms and as to time; and he pointed out that should the other party reject it, everything would have to be begun anew. It admitted Texas, he objected too, with no provision for reducing her dangerous preponderance of size without her own consent, and therefore the difficult and expensive adjustments that had been made with Virginia, Connecticut and Georgia would have to be paralleled at a still greater disadvantage. Indeed Texas would not accept the House resolution "except for the purpose of prescribing her own terms" for reducing her limits, and all kinds of confusion, quarrels and even hostilities might result, at her option, in the process. The House resolution, too, he objected, should have provided for the naturalization of the aliens residing in Texas. In short, his own plan was more proper, more respectful, more flexible, more certain to bring about annexation within a short period of time; and it left the execution of the measure to a President "just elected by the people with a view to this subject."

By the House resolution, protested Colquitt, we admit Texas to the Union but do not acquire her territory. Dayton pronounced the arrangement regarding slavery delusive, since all the States made from Texas would be sure to retain that institution. The resolution is dishonorable to that country, argued Berrien, for it proposes to force her upon us by a bare majority vote, and it is highly undesirable to place this affront upon a sister State. Archer held that the United States had no right to require of Texas that she should do so and so, this and that. Most if not all of the Whig Senators, Barrow announced, opposed the House resolution on constitutional grounds.

The resistance in the Senate was reinforced by support outside. The Massachusetts legislature, for example, voted at this time that, as the constitution gave no authority to admit foreign territory or a foreign state by a legislative act, such a proceeding "would have no binding force whatever on the people of Massachusetts" (*Nat. Intell.*, Feb. 17, 1845). But even the most violent expressions counted little against the now patent fact that the country desired Texas and the still more evident one that the divergent views of the friends of annexation in the House had at last been combined in a simple and sensible plan.

<sup>24</sup> *Cong. Globe*, 28 Cong. 2 sess., 315, 320, 321. *N. Y. Tribune*, March 1, 1845. *Lib.*, March 7, 1845. *Wash. Globe*, March 19, 1845.

party associates fixed their eyes upon him with every look of anxious concern from pleading to covert menace. The news that he was up flew to the other House, and in a few moments the Senate chamber was thronged with tense faces. Then amid the excitement he passionately defined his position, and plainly declared that on constitutional grounds he could not accept Brown's resolution, at this time the one hope of the annexationists. "A mine sprung!" exclaimed *The Madisonian*; if he had scruples, why did he not say so a month ago; "Why did he glide along like a hidden snake?" The name of Bagby became at once a hissing and a reproach, but none the less his attitude had to be reckoned with; and it was claimed in his behalf that by awakening the friends of annexation from their dreams, he compelled the adoption of a policy fitted to succeed.<sup>25</sup>

February 24 Archer withdrew his motion of indefinite postponement in order that the issue might come squarely before the Senate and amendments to the House resolution be offered. Though the friends of Texas now hoped and aspired, it was difficult still for them to figure. In reality the Senate was badly split. On the thirteenth of February Webster had thought nothing would be done except to provide for negotiations. Five days later Senator Dix of New York had written that the issue was doubtful; that a few Calhounites would not only refuse to vote for Benton's plan, but would insist upon the Missouri Compromise line, which some of the Northerners would certainly not accept; and that he believed certain pretended friends of annexation were determined to defeat the measure in order to keep up the agitation. On the twenty-fourth H. D. Gilpin said that he had never witnessed more anxiety in Washington than over the Texas question, and that most reckless and desperate attempts were making to fix upon those who would not accept Calhoun's view of the matter the odium of a defeat which some desired for that very purpose. Bagby's vote was found to be indispensable, and he like some nine other Senators "felt a decisive preference" for Benton's bill. This, however, could not be substituted for the House resolution, since the Calhounites, besides detesting its author, believed that his plan of opening negotiations might produce a fatal delay. On the other hand Benton was now

<sup>25</sup> (Tirades) Williams to Armstrong, Nov. 26, 1844: Polk Pap. *Boston Post*, March 6, 1844. *Cong. Globe*, 28 Cong., 2 sess., 351. *Wash. Globe*, Feb. 26, 1845. Bagby spoke Feb. 26. *Madis.*, Feb. 27, 1845. *Mobile Com. Reg.*, March 11, 1845.

undoubtedly anxious to conciliate. Dix described him as very discreet and cool, and said he had already made many concessions; and it was understood that letters from Silas Wright and Van Buren in favor of immediate annexation had been received. It seemed therefore, on all accounts, a time for compromise.<sup>26</sup>

And the way to compromise was near at hand. Senator Walker had been well disposed toward his Missouri colleague in this affair. It had been his hope that Benton's first proposition could be modified so as to pass; and when the bill of February 5 was brought in, he said that he would support it, should the House resolution fail. For an active mind like his it was therefore no hard task to construct the idea of combining the two plans as alternatives, and about the eighth of February he drafted an amendment providing for this. On the twentieth Horace Greeley wrote from Washington that Benton's bill, he heard, was to be piled upon Brown's resolution in order to give that Senator "an excuse for retreat," and make a "juggle" with the New Yorkers; while, as the same journalist asserted years afterward, Bagby was induced to favor compromise by intimations that he could not safely return to Alabama or even remain at Washington, should his vote prevent annexation. All this news was hearsay, probably; but from Blair and Walker we learn something authentic. First, Walker proposed to Allen to combine the two propositions, Benton's plan to become operative should Texas refuse to accept the House method; and Allen obtained a pledge of Benton's concurrence. Dix, Haywood, Bagby and others refused, however, to give a foreign country this control over the matter. Haywood then proposed that in order to gain the support of Benton and his friends the discretionary power should be vested in the President of the United States; and to this Walker not only gave his own assent, but obtained that of all the annexationists opposed to Benton's bill. Accordingly, during the session of February 27, this bill was offered as an alternative to the House resolution. Calhoun scented danger, and tried hard to prevent the adoption of the plan. Foster also denounced it. Perhaps he saw that his purpose of blocking annexation was liable to fail; but his contention was that the slavery issue involved in this affair must be settled at once in order to

<sup>26</sup> *Cong. Globe*, 28 Cong., 2 sess., 333. Webster to Harvey, Feb. 13, 1845: Van Tyne, Letters, 295. Dix to Van B., Feb. 18, 1845: Van B. Pap. Gilpin to Id., Feb. 24, 1845: *ib.* Wash. *Globe*, March 26, 1845. (Letters) Raymond, No. 143, Feb. 21, 1845.

safeguard the interests of the South, and that Walker's amendment sacrificed his own section for the sake of Northern votes. As for the Whigs, taken by surprise they demanded time to consider this new aspect of the case, and some even threatened to prevent action by talking out the session.<sup>27</sup>

Just here lay a real peril evidently. As the Congress would necessarily end in a few days, the temptation to conquer by obstruction was great, and there had appeared to be signs that it would not be resisted. The course of Archer and the committee on foreign relations, which had postponed the consideration of the subject until the middle of February, had suggested as much. Barrow had appealed for a delay until the next Congress, in order that the representatives of the people chosen since the measure was broached might have a voice upon it. Huntington of Connecticut had urged that more time for consideration was needed. Crittenden had refused flatly to agree upon the twenty-sixth of February for the deciding vote. "The annexation of Texas is ordained," pleaded Archer, and there is a constitutional method of bringing this about, as my report indicated; why not then wait a little and adopt it? A disposition to waste time by employing dilatory tactics had shown itself of late, and the friends of the measure felt no little anxiety. But the will of the nation was understood, and Archer now took the magnanimous ground that no good could be done by stubborn opposition.<sup>28</sup>

<sup>27</sup> Wash. *Globe*, March 26, 1845. Walker to Polk, Nov. 6, 1848: Polk Pap., Chicago. N. Y. *Tribune*, Feb. 22, 1845. Greeley, *Amer. Conflict*, i., 174. (Foster, etc.) *Cong. Globe*, 28 Cong., 2 sess., 359. Calhoun to Don., May 23, 1845: Jameson, Calhoun, *Corr.*, 658. Rich. *Enq.*, Aug. 29, 1845. Nash. *Union*, March 11, 1845. (Whigs) C. Johnson to Polk, Oct. 6, 1848: Polk Pap., Chicago. Polk appointed Bagby minister to Russia in 1848. The wording of the amendment was as follows: "Section 3. *And be it further resolved*, That if the President of the United States shall, in his judgment and discretion, deem it most advisable, instead of proceeding to submit the foregoing resolution to the republic of Texas, as an overture on the part of the United States for admission, to negotiate with that republic—then, *Be it resolved*, That a State, to be formed out of the present republic of Texas, with suitable extent and boundaries, and with two representatives in Congress until the next apportionment of representation, shall be admitted into the Union by virtue of this act, on an equal footing with the existing States, as soon as the terms and conditions of such admission, and the cession of the remaining Texan territory to the United States, shall be agreed upon by the governments of Texas and the United States; and that the sum of \$100,000 be, and the same is hereby, appropriated to defray the expenses of missions and negotiations, to agree upon the terms of said admission and cession, either by treaty to be submitted to the Senate, or by articles to be submitted to the two Houses of Congress, as the President may direct" (Sen. Doc. 1, 29 Cong., 1 sess.).

<sup>28</sup> *Cong. Globe*, 28 Cong., 2 sess., 328, 330, 353, 359, 362; App., 390.



After pausing for a recess in the afternoon of February 27, the Senate convened again in the evening. The galleries overflowed with eager spectators, and the lobbies were thronged with Congressmen still more deeply interested. All the learned and the beautiful seemed to be present; every lamp was ablaze; and a subdued bustle and murmur kept the air in a quiver. In spite of the profound excitement, however, perfect order and dignity prevailed. The spectacle, said A. V. Brown, was sublime, and the issue to be decided was felt to be vast and momentous. Archer offered a substitute bill proposing to open negotiations for the transfer of the territory of Texas, with the assent of the people thereof, to the United States. On this question Foster of Tennessee and Johnson of Louisiana voted affirmatively, and the result was a tie. Johnson however, though a Whig, then went over to the Democrats, and Walker's amendment was adopted in Committee of the Whole by a vote of 27 to 25. In due order the Committee reported the amended resolution to the Senate, and at length after other attempts to defeat it had failed, Miller of New Jersey proposed Benton's original bill as a substitute. But that gentleman was to be caught in no such trap. After indulging to the full his animosity against Calhoun, Tyler and the rest of Van Buren's triumphant enemies, he had found a way to regain the party column, please Jackson and satisfy his constituents, and to do this with a high head instead of the prodigal's bended neck; and the opportunity was by no means to be thrown away. "The Senator from Missouri will vote against it," he was heard to say. I hope, observed his New Jersey colleague, that the gentleman will not destroy his own child. "I'll kill it stone dead," was the reply, and Miller's proposition failed. Amid a deep silence the resolutions were now read—by title—a third time. It seemed unnecessary to call for the Yeas and Nays, since every man's position had evidently been taken; and at about nine o'clock, by a vote of 27 to 25, the business was finished. The Senate then adjourned, and soon the guns on Capitol Hill were booming a salute.<sup>29</sup>

The affirmative vote consisted of the Democratic Senators and three Whigs,—Merrick, Johnson and Henderson. Thirteen of these men came from free and fourteen from slave States, while in the negative there were fifteen and ten respectively. Of fourteen free States, five voted "Yea," six "Nay," and three stood half-and-half.

<sup>29</sup> (Brown) Nash. *Union*, April 12, 1845. *Cong. Globe*, 28 Cong., 2 sess., 359. *Nat. Intell.*, Feb. 28, 1845.

Of twelve slave States, five voted "Yea" and three "Nay," while Maryland, North Carolina, Georgia and Louisiana were divided. Attempts were made to show that the affirmative represented a decided majority of the whole people; but it was figured out in reply that had all in the Senate been true to the popular feeling of their States, a tie would have been the consequence, while the *Washington Globe* maintained that if the members from Virginia, Tennessee, North Carolina, Louisiana, Kentucky, Indiana, Maine and Michigan had acted in accordance with the wishes of those commonwealths, the result would have been forty to twelve in favor of the measure. It was surprising to find among the majority Senator Tappan, whose fierce opposition to the treaty had led him to give that document out in violation of his duty. He also, the *New York Tribune* alleged, had received a price; but the fact was that the Ohio delegation had been instructed by their legislature to vote for annexation. Even in spite of that he caused great anxiety; but as Senator Mangum said, two Presidents and the whole party were upon him, and such a combination of forces could not be withstood. According to the Mexican consul at New Orleans the result was due to treachery on the part of Johnson, Merrick and others, for whom he said the offer of a ministry, a consulate, or a custom-house had great attractions. Some of the Southern Senators, wrote Webster, found it necessary to sacrifice their own preferences to the wish of their States. "It passed by chance," was the comment of the *National Intelligencer*.<sup>30</sup>

"That chance can hardly again occur," added the *Intelligencer*; but the friends of annexation in the House intended to exclude all contingencies. Many believed that the Representatives, with half the business of the session still untouched, would hardly be able to resume the subject, or if they should, could not find time to dispose of the amended resolution; but when the matter came back to that

<sup>30</sup> N. Orl. *Picayune*: *Rich. Eng.*, March 21, 1845. N. Y. *Morning News*: *Nat. Intell.*, March 25, 1845. Wash. *Globe*, Feb. 27, 1845. Conn., Me., and Ind. were divided. *Tribune*, March 1, 1845. (Ohio) *Nat. Intell.*, May 17, 1845. Mangum to Graham, Feb. 21, 1845; Mangum Pap. It is doubtful, however, whether Corwin—who had now been chosen Senator but had not taken his seat—would have obeyed such instructions; and without his vote, had he been acting, the measure would have failed. Arrangoiz, No. 47 (res.), March 8, 1845. Webster, Writings, xviii., 201. *Nat. Intell.*, Feb. 28, 1845. According to a statement made many years later by Hannibal Hamlin, at this time a Representative from Maine, Hannegan of Indiana, who cast a ballot in the affirmative, owed his election to the deciding vote of a member of the legislature named Kelso, and Kelso owed his own election to the vote of a young man whose acquittal on the charge of murder—which a quarrel over a girl had caused him to commit—was secured by Kelso (Curtis, in Wash. *Star*, Feb. 21, 1909).

body, the Speaker ruled out all dilatory points of order and refused to entertain appeals; efforts to bring up appropriation bills were unsuccessful; debate in the Committee of the Whole was limited to five minutes; and repeated attempts to amend the resolution failed. When the Committee had reported, the previous question was moved, the Senate amendment adopted, and a motion to reconsider the action of the House defeated. The sun was then just going down; but a national salute fired on Capitol Hill illumined the sky, and the glad faces of the Democrats lighted up the chamber. A different view could, however, be taken of the circumstances, and it was. "The deed was done in darkness, as was meet," exclaimed the *New York Tribune*.<sup>31</sup>

The endorsement of the measure in the House was more emphatic this time than before; for the vote stood 132 against 76. Every Whig was firm for the negative except Dellet of Alabama, and every Democrat for the affirmative except Hale of New Hampshire and Davis of New York. Like Foster in the Senate, Milton Brown turned against his own resolution. The opponents of the measure were stubborn enough to make a long fight, no doubt; but with so strong and so determined a majority on the other side they could accomplish nothing. In due order the acceptance of the amendment by the House was now reported to the Senate. There too the spirit of opposition still survived; and when the formal announcement had been made, Bates of Massachusetts called out, "Woe, woe, woe!" But protest was again futile, and the resolution passed on to the Executive. "Diabolism Triumphant: Overthrow of the government and Dissolution of the Union . . . a deed of perfidy, black as that Egyptian darkness which could be felt," cried Garrison's paper; but it cried in vain.<sup>32</sup>

In bringing this result about the President elect undoubtedly had an important share. During the previous November a politician in Philadelphia had written to him that as the admission of Texas would anger the anti-slavery Democrats, the matter should be disposed of before the fourth of March. The next month Cave Johnson assured Calhoun that Polk and his friends desired to have this done. Crittenden believed that if the incoming President should

<sup>31</sup> *Nat. Intell.*, Feb. 28, 1845. *Cong. Globe*, 28 Cong., 2 sess., 372. Harris to Jackson, Feb. 28, 1845; Jackson Pap. *Boston Post*, March 6, 1845. *Tribune*, March 1, 1845.

<sup>32</sup> Seven Democrats and six Whigs were absent. *Mobile Com. Reg.*, March 10, 1845. *Wash. Globe*, Feb. 28, 1845. *Boston Post*, March 6, 1845. *Lib.*, March 7, 1845.

really adopt the annexation measure as his own, he could carry it, and the announcement to Calhoun showed that such was his purpose. The Richmond *Enquirer* also stated quite plainly that he desired to have the question settled before assuming the responsibilities of office, and that none who did not contribute to that end could expect anything from him; and this was a warning specially applicable to the many Locofocos who had opposed the programme of immediate annexation, yet realized the importance of standing well with the new administration.<sup>33</sup>

February 21, 1845, the *Madisonian* announced that the President-elect, "calm and affable as a balmy morning in June," was then in Washington, "receiving and reciprocating the smiles and congratulations of his confiding countrymen." Donelson, at this time the American chargé in Texas, had expressed the opinion to President Jones not long before that the new Executive would be able to remove all the difficulties in the way of agreement upon a plan of annexation, and apparently his personal influence was now exerted. Before Polk arrived, said the Washington correspondent of the New York *Commercial Advertiser*, Texas had no chance; but he, by holding out offices as inducements to the northern Democrats, was able to make terms. The *Tribune*—a prejudiced witness to be sure—asserted that the President-elect obtained at least four votes for the measure by "nothing better than flagrant bribery"; and Greeley was observing things in Washington at the time. In particular, it was charged that he agreed to drop Calhoun from the cabinet in order to win over the New York delegation, which, remarked the *National Intelligencer*, explained the "hitherto impenetrable mystery" of the Senate's favorable action. All such charges, however, are to be taken with due allowance. Mangum, a prominent Whig from North Carolina, writing to a friend about the matter, only represented Polk as constantly urging that any Democrat who should stand out would incur a fearful responsibility.<sup>34</sup>

<sup>33</sup> Horn to Polk, Nov. 23, 1844: Polk Pap. Johnson to Id., Dec. 9, 1844: ib. Crit. to Burnley, Dec. 28, 1844: Crit. Pap. *Nat. Intell.*, Jan. 29, 1845. Tyler, Tyler, ii., 361.

<sup>34</sup> *Madis.*, Feb. 21, 1845. Don. to Jones, Jan. 23, 1845: Jones, Memor., 418. Boston *Atlas*, March 15, 1845. N. Y. *Tribune: Lib.*, March 7, 1845. (Dropping Calhoun) N. Y. *Journ. Com.*, Jan. 6, 1845; Memphis *Eagle*, March 21, 1845 (from Charleston *Mercury*). *Nat. Intell.*, March 10, 1845. Mangum to Graham, Feb. 21, 1845: Mangum Pap.

It was charged a few years afterwards that Polk actually tricked certain Senators. Tappan asserted in 1848 that Haywood brought him word from Polk to the effect that should the amended resolution be passed, he would submit the amendment (Benton's bill) to Texas as the sole proposition,—a declaration sup-

Another influence that had an effect on Congress was the interest in Oregon. The natural effect of linking the two issues together in the Democratic platform was no doubt considerable, for it tended

plemented by McDuffie's assurance that Tyler would not have the "audacity" to take the matter away from Polk by acting upon it himself (N. Y. *Evening Post* (weekly), Aug. 3, 1848). Tappan's statement was reinforced by one from Blair to the effect that Polk gave him an equivalent assurance, and that Dix and Haywood were similarly favored. In short, said Benton (*View*, ii., 636), at least five Senators would have voted Nay, had they not believed that Polk would be the one to act and would choose his bill.

Polk emphatically denied this charge (*Diary*, iv., 38-47, 49, 51, 52). Writing to George Bancroft with reference to the letters of Blair and Tappan (Sept. 9, 1848: Bancroft Pap.), he said he had not the "slightest recollection of ever having held a conversation" with either of them on the subject; that he was anxious Congress should settle the matter at its then session; that he expressed his opinions on the subject fully and publicly at the hotel where he was stopping, but that he did not even examine the form of the different propositions pending in Congress. In confirmation of his assertions he called attention to the fact that no complaint of a violated pledge was made at the time by Senators or others; that in August, 1846, Blair stated that all of Polk's principal measures had his approval (*Polk, Diary*, ii., 84); and that when the matter came before his cabinet on the tenth of March, 1845, he was not aware and gave his advisers no reason to suppose that he had committed himself in any way. Polk then asked Bancroft, as he did the other members of his cabinet, to express his views privately on the subject. Bancroft (Oct. 13, 1848: Bancroft Pap.) wrote in reply that he had lodged at the same place with Polk and was very often with him during the interval in question, but never heard him discuss the two forms of procedure, did not know which he preferred, and never had heard of his expressing a preference. Marcy (Nov. 20, 1848: Polk Pap.) wrote that he recalled no conversation with Polk on the subject, and that Polk submitted the matter to the cabinet without indicating any preference, adding that until the two letters appeared he had never heard it suggested that the President had given reason to expect that he would select the third section. The other Secretaries also expressed entire disbelief in the charge brought against Polk (Mason to Polk, Nov. 12, 1848: Polk Pap., Chicago; Buchanan to Id., Nov. 9, 1848: *ib.* (see *Polk, Diary*, iv., 185-187); Johnson to Polk, Oct. 6, 1848: *ib.*; Walker to Id., Nov. 6, 1848: *ib.*). The following suggestions may be deemed pertinent:

1. It is improbable that Polk would inaugurate his administration by a gross breach of faith on a matter of prime importance.
2. It is improbable that he would promise to pursue a course that most of his friends opposed.
3. It is peculiarly improbable that he would do so without consulting any one of the competent advisers selected by him for his cabinet.
4. It is improbable that those aware of such a breach of trust would have remained silent about it for years. Bagby did, it is true, state in the *Mobile Register* in the fall of 1845 that he voted as he did because he was informed that Polk had promised to adopt the amendment (Cave Johnson to Polk, Aug. 27, 1848: Polk Pap., Chicago); but this is vague and at second hand, and the question remains, why was nothing said at Washington and by those who could have spoken of personal knowledge, if a deception had been practised?
5. It is particularly improbable that Blair would have remained silent had he known of such an affair, since Polk proceeded to put him out of business.
6. It is not likely Haywood, represented by Tappan as having given pledges in Polk's name that Polk did not keep, would have said nothing on finding himself thus compromised and would have been on confidential terms with Polk later, as we see from Polk's papers that he was.
7. It is highly improbable that Tappan would have written, as he did on May 11, 1847, that he regarded Polk as an honest man and supported him for precisely that reason (*Polk Pap.*, Chicago).
8. It would have been very improper for Senators to bargain with the President and arrange secretly with him to cheat their colleagues into thinking there was an alternative where no alternative really existed.
9. It is not probable that Polk would have made a confidant of Blair in so delicate a

to make the friends of each proposition favor the other; and obviously there was a fine opportunity as well as a strong inducement for "log-rolling." In June, 1843, the Cincinnati *Morning Herald*, an abolitionist paper, said: "The Southern delegation which has hitherto opposed any measure looking to the possession of Oregon will [at the next session of Congress] withdraw opposition if the supporters of the Oregon proposition will aid them in the annexation of Texas." This may, however, have been one of those easy conjectures which the partisan press is always ready to throw out as facts. The Charleston *Mercury* printed during the following autumn a letter dated "Maine, October 12, 1843," which said that Texas would be conceded to the South in return for assistance in the other matter. Van Zandt, as we recall, informed his government at this time, that it was believed the two questions could be combined, so as to gain for Oregon the Southern and South-eastern vote and for annexation the support of the West and to some extent that of the North. Two months later Duff Green wrote to Crallé: "We can secure the co-operation of the North West. . . . The Texas, the Oregon and the Tariff are all questions cementing the South & North West." In January, 1844, the Houston *Telegraph* remarked that Atchison's bill to encourage the settlement of Oregon could not pass without votes from the slave section, and that a combination of the Southern and Western members of Congress would be able to carry both of the measures. Not long afterwards the Detroit *Advertiser* called attention to the fact that the Michigan Senate had requested the Congressmen of that State to vote for the immediate occupation of Oregon, and had refused, though composed entirely of Locofocos, to say a word against annexation. In March D. L. Child wrote from Washington to the *Liberator* that there had been "a constant billing and cooing between Southern

matter, for Blair had made a public onslaught upon him before the Baltimore Convention met and Polk was about to discard him as the mouthpiece of the administration. 10. After Polk's choice was known, Blair was eager to be the champion of the administration, and that he could not honorably have been had he known that Polk had broken a pledge (Cave Johnson to Polk, Oct. 6, 1848: Polk Pap., Chicago.)

As a hint of the possible incorrectness of late statements it may be noted that, according to Benton (View, ii., 636) Tappan talked with Polk, whereas Tappan himself did not pretend to have done so; and as an illustration of the way in which the President could be misunderstood it is interesting to note instances in his diary (iii., 121; iv., 343). Probably, in the excitement and hurry of the time and his eagerness to have the annexation matter disposed of, he intentionally or unintentionally used ambiguous language intended to smooth the road, but it is not likely that he gave a pledge of the kind described later by Tappan, Blair and Benton.

and Western members [of Congress], on the principle of mutual support in taking possession of the two territories and breaking down the tariff," and that after the defeat of a resolution looking toward an armed occupation of Oregon, Hannegan had said he would be damned if he would vote for annexation; but Child, like some other persons, was not always critical in making statements. At about the same time, as will be remembered, Black of Georgia offered in the House, as an amendment to a motion for occupying Oregon, a resolution for the re-annexation of Texas, and his amendment was accepted by the original mover.<sup>35</sup>

In January, 1845, as a sequel to the adoption of Brown's resolution by the lower branch of Congress, Black announced that after this glorious event he would go cheerfully for the occupation of Oregon, and that he hoped every member who had voted for annexation would follow his example. Wentworth of Illinois spoke soon afterwards, and had much to offer with reference to Texas in connection with the far Northwest; but it was noticeable that he made no intimation of a bargain between the two interests. In January, 1846, Hunter of Virginia said that the South appeared to be regarded as ungrateful, because it did not support Western views regarding Oregon; and this language implied a certain basis for expecting assistance. About the same time McDowell of Ohio, on a motion to terminate the joint occupancy of the territory in dispute, reminded the southern Representatives very pointedly that his section had stood by them in their struggle for extension; and Wentworth of Illinois complained that the South, after having "used the West to get Texas," was thought unreliable regarding the other affair. Upon this, Yancey of Alabama demanded squarely whether a bargain between the sections had existed, and Wentworth replied that he had made no such charge. Houston of Alabama denied that any one had been authorized to say what the South would do on the Oregon question, and Chapman of the same State said he had "never heard" of "an understanding or bargain" in reference to the matter. In the Senate Hannegan, a rough sort of a man, was very outspoken and bitter. He intimated clearly that when the Texas issue was up, reasons had been given him "why he should not distrust the South on the question of Oregon"; but even he, and he raging, did not assert that an agreement had existed. William Lloyd Garrison,

<sup>35</sup> *Morning Herald*, June 21, 1843. *Mercury*, Oct. 28, 1843: *ib.* Van Z., No. 109, Oct. 16, 1843. Green to Crallé, Dec. 30, 1843: *South. Hist. Ass. Pub.*, vii., 419. *Telegraph*, Jan. 24, 1844. *Adv.*, March 13, 1844. *Lib.*, March 27, 1845.

in reviewing the progress of the Texas movement through its various stages and tracing out the causes of its triumph, made no reference to Oregon; and though he and his friends were not wanting in alertness or keenness of vision, an examination of nearly one hundred and forty articles, original or contributed, that dealt with the annexation affair in his paper between November, 1843, and October, 1845, discovers no charge of "log-rolling" on these issues. It seems probable enough, therefore, that sympathies and a more or less explicit understanding existed but no bargain.<sup>36</sup>

As Tyler admitted afterwards, it was "by inadvertence on the part of those who controlled the action of the Senate," that he was given an opportunity to execute the annexation resolution, though McDuffie—it was said—expressed the opinion that the President would not have the "audacity" to act in the matter. Very possibly, too, had the outgoing Executive been left to himself, he would have been guided by the evident expectation of Congress that the new administration would be the one to carry its decision into effect. But Calhoun, as he proudly declared later in the Senate and as Tyler admitted, assured the President that he had a constitutional right to act, and advised him to do so at once; and the cabinet, which met the next day after the resolution became a law, agreed that the Executive ought to exert himself effectually to ensure the success of a great measure which had originated with his administration. That the House plan was the one to adopt, the President and the Secretary agreed perfectly. Both of them believed also that Walker's amendment did not express the real sense of Congress, and had been adopted chiefly to prevent Benton and a few others from greatly embarrassing, if not preventing, the passage of Brown's resolution. Probably, too, it was understood that should Tyler choose the third section—Benton's bill—and nominate commissioners, they would not be confirmed; and finally, of course, detestation of the Missouri Senator counted for something.<sup>37</sup>

The President felt, however, a certain delicacy as regarded Polk. To be sure he did not think this ought to weigh overmuch, since he believed that his successor's preference would be like his own, and thought it evident that Texas, discouraged by the defeat of the former treaty and the small majority that had carried the resolution

<sup>36</sup> *Cong. Globe*, 28 Cong., 2 sess., 199; 29 Cong., 1 sess., 206, 460; App., 92, 74. *Lib.*, March 7, 1845, etc.

<sup>37</sup> Tyler, Tyler, ii., 396. (Calhoun) *Cong. Globe*, 29 Cong., 2 sess., 498. Tyler to Wilkins, Nov. 29, 1848: Tyler, Tyler, ii., 364. Calhoun to Don., May 23, 1845: Jameson, Calhoun Corr., 658. (Commrs.) *Wash. Globe*, March 4, 1845.



in the Senate, might prefer to obtain recognition from Mexico through English and French influence, rather than to negotiate further with the United States; yet he hesitated to take the final step. Calhoun felt sure that the necessity for immediate action was such as to override the point of delicacy, and all the rest of the cabinet concurred in that view; but finally Tyler requested the Secretary of State to call upon the President-elect and make known the situation. This was done, but Polk declined to express an opinion; and accordingly instructions were sent off to Donelson in the night of March 3.<sup>38</sup>

These explained that sections one and two of the resolution had been adopted by the Executive as embodying the simpler plan, and more especially because Benton's method contemplated not only expensive and difficult negotiations but a treaty, which in view of the recent vote one could hardly expect to see ratified by two-thirds of the Senate. The President, Calhoun went on, desires the terms of the United States to be accepted precisely as they stand, so that all the dangers incident to delay may be avoided. Should that prove to be impossible, then let Texas frame propositions—not amendments—expressing her views. Finally, should this plan also be unsatisfactory, let her draw up formal amendments, to be binding on both governments if adopted,—even this being a better method than to negotiate through agents. Foreign powers, he added, would spare no exertions to bring about the defeat of the resolution, and therefore the American chargé should proceed to the Texan capital and urge prompt action.<sup>39</sup>

Polk's course after his inauguration was peculiar. On the seventh of March he wrote privately to Donelson, advising him not to act on Calhoun's orders until further instructed, and thus he called a halt in what he himself regarded as a most important matter; and no official action was taken until the tenth. On that date his cabinet assembled. Buchanan read aloud Calhoun's despatch of March 3, and every one present—though Polk did not endorse all of the late Secretary's reasoning—concurred without hesitation in preferring the House resolution. The President then

<sup>38</sup> Tyler to Wilkins, Nov. 29, 1848: Tyler, Tyler, ii., 364. (Calhoun) *Cong. Globe*, 29 Cong., 2 sess., 498. Tyler to Calhoun, Oct. 7, 1845: Jameson, Calhoun Corr., 1058. *Madis.*, March 6, 3, 1845. It is interesting to note that Terrell, then a Texan representative in Europe, anticipated that Houston would reject sections one and two, and, should the United States propose to negotiate according to section three, would give England and France time to act by letting the matter go over to the next session of the Texan Congress (No. 7, May 9, 1845).

<sup>39</sup> To Don., No. 4, March 3, 1845: Sen. Ex. Doc. 1, 29 Cong., 1 sess., 32.

said he thought instructions ought to be sent immediately to the American chargé confirming Tyler's choice. Buchanan withdrew to prepare them; that evening his draft was accepted by Polk; and the instructions were then entrusted to Governor Yell of Arkansas for delivery. The reasons why the cabinet approved of Tyler's action, as stated by Bancroft, who had just been confirmed as Secretary of the Navy and now entered the room, were as follows: 1, a choice had been made, and any change might produce confusion; 2, Donelson was regarded as remarkably prudent and quite capable of conducting the affair, under the direction of Buchanan, quietly, amicably, and successfully; 3, sections one and two were looked upon as more favorable to the preservation of peace with Mexico than section three, since they expressly gave the government of the United States authority to adjust the boundary with her; 4, as Almonte had demanded his passports, immediate action seemed necessary; 5, the tedious method of a commission would give the Mexican government time to inflame the public mind; 6, the delay would be almost an invitation to England and France to interpose with the hope of preventing annexation; and, finally, the appointment of commissioners would tempt the Texans to make exorbitant demands, which the administration—being pledged to bring about the incorporation of their country—would find it peculiarly difficult to resist.<sup>40</sup>

The President, said Buchanan in his despatch of March 10, does not believe that an agreement under section 3 would necessarily be a treaty, as Calhoun understood the matter; but he is aware that many friends of Texas hold such a view, and that members of Congress favorable to annexation might be unable to vote for mere Articles of Union. Sections one and two follow as far as the present circumstances permit, the usual course for the admission of

<sup>40</sup> Don. to Polk, March 19, 1845: Polk Pap., Chicago (see also Tyler to Calhoun, Jan. 2, 1849: Jameson, Calhoun Corr., 1187). Polk's letter of March 7 may have been due simply to his disapproval of some of Calhoun's reasoning. Buchanan to Polk, Nov. 9, 1848: *ib.* Bancroft to Polk, Oct. 13, 1848: Bancroft Pap. Polk to Haywood, conf., Aug. 9, 1845: Polk Pap. Blair wrote to Van B., Feb. 29, 1848, that it was fear of making Benton a dangerous rival (by adopting his plan for annexing Texas) that led Polk to choose the other alternative (Van B. Pap.); but this appears fanciful. Polk's course suggests that something lay out of sight, and partly for this reason the text intimates above that, even if he had not given the pledge described by Tappan, he had perhaps used language implying something of the sort. According to Blair's letter, Polk gave Dix to understand that he intended to revoke Tyler's instructions to Donelson. In the executive session of the Senate on March 10, Berrien endeavored to have that body advise Polk to elect section 3 (Benton's bill) of the Resolution; but his motion was laid on the table by a vote of 23 to 20 (*Madis.*, March 20, 1845).

new States; and if Texas accept them, Congress will be bound to receive her. Indeed, nothing can prevent this from coming to pass early in the next session except some action on her own part affecting the conditions. Should any of the terms appear to be unreasonable, she may confidently rely "upon the well-known justice and liberality of her sister States to change or modify them after she shall have been restored to the bosom of our republican family. The great object now to be accomplished—that which far transcends all other objects in importance—is her prompt admission into the Union." Should she refuse her assent or insist upon proposing new conditions, "we are then again at sea." Negotiations would be necessary; long and angry debates might arise; the advocates of admission might become divided in sentiment, "and thus the great work of union might be almost indefinitely postponed." As it is desirable that our land system and "indispensable" that our Indian policy be extended to Texas, let her propose to cede her lands and Indian jurisdiction to the United States for a sum to be determined by future agreement. The President will "strongly" recommend this plan to Congress; and, as a distinct proposition not directly connected with admission, he has no doubt that Congress would approve of it. Were it thus associated, however, it might be opposed by some for the very purpose of defeating annexation.<sup>41</sup>

<sup>41</sup> To Don., No. 5, March 10, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 35. The sop for the holders of the Texas debt, already alluded to, appears in the concluding sentences of this paragraph.

## XVII

### THE ATTITUDE OF REJECTED TEXAS

HOUSTON had many reasons to feel anxious about the result of his negotiations with the United States. His official dignity and personal interests, the relations of his country to Mexico, England and France, and the welfare of her citizens during a long future, all seemed to be involved in the fate of the treaty. But his feeling was by no means that of a shipwrecked mariner clinging to a plank. It was in May, 1844, that he put on paper his great ideas about the possible career of an independent Texas. At about the same date Murphy, immediately after conferring with him, reported that the government had treated with the United States reluctantly and would be glad to have the negotiations come to naught. Two weeks before the President knew the treaty had been signed, he informed Jones that he had instructed the envoys at Washington, D. C., to call upon the English and French ministers—in case no annexation measure should be adopted by Congress before adjourning and the American government should decline to make the proposed alliance—and ascertain whether a guaranty against being molested by Mexico could be obtained from those powers. Two days later he repeated these instructions, and while so doing he not only expressed the opinion that England and France would be responsible for the security of Texas, if she would bind herself never to join the United States, but indicated a distinct preference for that arrangement. Despite the appreciation expressed by him on receiving the treaty, he so evidently had little faith in its ratification that Murphy thought it necessary to stay constantly by his side. Van Zandt's unfavorable report concerning the chances no doubt strengthened his expectation of its failure; and when his confidential agent, Miller, confirmed that report, he probably looked upon the matter as virtually out of the way. We must consider ourselves "a nation to *remain forever separate*," he assured the envoys on the twenty-seventh of May with noticeable cheerfulness. Henderson was recalled and Van Zandt was soon permitted to resign; and if Houston, instead of refusing to consider the subject of annexation longer,

merely said that any further negotiations would have to be conducted in his own country, one infers that his object was only to remain on fairly good terms with the American Union, and in particular to preserve a certain claim upon it for protection. As the question of joining the United States was taken up by Texas at their request, he sent word to Tyler, they were bound to protect her against all the consequences; and he could see that such a demand would have tenfold effect if he allowed it to be supposed that a chance of annexation still remained. In short, as Murphy had anticipated, he seized the earliest opportunity to move away from a negotiation that popular clamor had forced him to open and the disobedience of his envoys had brought successfully to a conclusion, and he resumed his old policy of guarding the independence of Texas and ensuring her safety by playing America and Europe against each other, and getting all he could from both.<sup>1</sup>

The people also felt deeply interested in the negotiations; and when it became known that a treaty had been concluded, their anxiety was described by the American chargé as "extremely painful." The predominant wish was doubtless in some way to obtain peace and the consequent prosperity, and the saying, "Any port in a storm," if we prefix the word "almost," represented the fundamental sentiment. On this point Anson Jones and Ashbel Smith agree emphatically with each other and with the natural probability; and Houston said, "Nine-tenths of those who converse with me are in favor of the measure [annexation], on the ground that *it will give us peace.*" Affection for kindred and the old home drew the hearts of many towards the United States, but a former French colonist wrote to the *Revue de Paris* that the Texans among whom he had lived had forgotten their origin, and were too self-reliant to desire annexation. There was doubtless a determined and aggressive American element; but so far as the masses were concerned, the zeal for absorption in the Union sprang mainly from a longing to escape the perils, hardships and uncertainties of a precarious

<sup>1</sup> See General Note, p. 1. (Ideas) Houston to Murphy, May 6, 1844: Crane, Houston, 366. Murphy, No. 23, May 8, 1844. Houston to Jones, April 14, 1844: Jones, Memor., 340. Id. to Hend. and Van Z., April 16, 1844: Tex. State Dept., Record Book 44, p. 206. Hend. and Van Z., April 12, 1844. Miller to Jones, April 28, 1844: Jones, Memor., 345. Houston to Hend. and Van Z., May 17, 1844: Tex. Dipl. Corr., ii., 281. To Van Z., July 13, 1844. Jones (Memor., 590) said in 1857 that when the failure of the treaty appeared pretty certain, Houston determined on a new policy. The novelty seems to have been the idea of promising that Texas would never join the U. S.

national position, though partly, according to Elliot, from "a belief that the agitation of such a project would dispose the Government of Mexico to acknowledge their Independence." Behind it throbbed a real Texan patriotism. Young though it was, the nation had fascinating traditions; and men loved the flag for which their blood had been shed. There was also and had been from the first, as we have seen, a haunting belief that it would be for the advantage of the citizens to maintain their national existence. The *Houston Democrat* said that most of the people would prefer that policy, if recognition could be secured without unreasonable delay. The *Galveston Gazette* agreed that a majority entertained this view; and the British chargé informed his government confidently as late as May, 1844, that under such a condition "Texas would reject annexation." Early in the same month the New Orleans *Picayune*, though a supporter of Tyler's project, felt obliged to print a letter from the city of Houston, which said, "What Texas desires most is a permanent peace and independence. . . . The people are determined to have peace at all hazards." Here in all probability the real sentiment of the intelligent and thoughtful is correctly indicated: nationality if attainable, but at any rate safety. One special factor, it should be remembered, too, worked with particular force against the United States. Many of the citizens were not American in blood or in feeling. Nearly all the best of these, reported the British consul at Galveston, felt strongly opposed to the surrender of independence; and as probably more than an average share of wealth and knowledge of the world belonged to them, they doubtless possessed an influence out of proportion to their numbers. Murphy evidently found them troublesome, for he described the British party at Galveston as "Proud, overbearing, impudent and ferocious." Such a body of men could effect a great deal; and if given a leverage, they were evidently capable of doing no little mischief to the cause of annexation.<sup>2</sup>

It was under these circumstances that news of the failure of the treaty arrived. The first response of the high-spirited Texans was

<sup>2</sup>Murphy, No. 23, May 8, 1844. Jones, Memor., 42. Smith, Remin., 63. Houston to Elliot, Jan. 24, 1843; F. O., Texas, vi. Letter in *Revue de Paris*, March 18, 1845. Elliot, No. 11, May 10, 1844. *Democrat: Nat. Intell.*, March 4, 1844. *Gazette: Rich. Enq.*, July 2, 1844. N. Orl. *Picayune*, May 3, 1844. Consul Kennedy to Elliot, May 6, 1844; F. O., Texas, x. Donelson wrote (Nov. 11, 1844) that the trade was "passing rapidly into European channels" and that the merchants not uncommonly opposed annexation. Murphy, No. 26, May 24, 1844. For Texan sentiment see also pp. 68, 69, 74, 96, 99.

probably a sense of rebuff, of rejection. Next they realized that a long contemplated hope of finding shelter had been disappointed; and then they reflected that their standing in the world had suffered. How can Texas be compensated, asked Senator Haywood of Van Buren, for being induced to forfeit her position with other countries by discussing annexation with the United States? A disappointment with reference to the treaty, predicted Murphy, would cause a revulsion of feeling; and now the revulsion came. "There were few men in the Republic," says Yoakum, who did not at the moment resolve to "banish forever all affection" for the land of their birth, "and seek among strangers and foreign nations a more congenial friendship and protection." In about a month the bonds of Texas were quoted at twelve cents on the dollar, and her treasury notes at seven and a half; and the blow to credit and prosperity implied by these figures deepened the resentment. The *Civilian* of Galveston said that in the judgment of the annexationists themselves at that place the question had been closed forever; and the *Gazette* declared it was glad the treaty had failed, since independence was the better policy. Of still greater significance was a decisive editorial, commonly attributed to Anson Jones, that appeared in what was regarded as the principal administration organ, the *National Vindicator*. Texas has "no alternative" now, said the writer, "but boldly to resolve on her own course of policy, and perseveringly prosecute the determination." "From the United States as a nation we have nothing to expect." The British fleets and arms, however, are to be found everywhere; her administration is prompt and decided; and her influence with Mexico "is almost, if not entirely, unbounded." Let us then offer her a reduction of our tariff in exchange for Mexican recognition or an armistice. A proposition of that sort coming from us would be favorably received, for it would enable the British merchants to undersell all competitors here, and would make it possible for England to bind Texas to herself in a short while so firmly "by the strong ties of interest, that fearful indeed must be that shock which could disturb or sever them"; and in accordance with this recommendation Jones instructed Ashbel Smith, the national representative at London and Paris, to ascertain what propositions those governments would make on the basis of lasting Texan independence.<sup>3</sup>

<sup>3</sup> Haywood to Van B., May 6, 1844: Van B. Pap. Murphy, No. 23, May 8, 1844. Yoakum, Texas, ii., 432. (Bonds) Petersburg *Repub.*: *Nat. Intell.*, July

In view of the situation, Donelson expressed the fear that Houston, even if in favor of joining the United States, "might not be able to stand up before his own people if the guarantee promised by England & France were accompanied by terms otherwise very favorable to Texas." While Jones's despatch to the European chargé was travelling towards its destination, two letters from Smith were coming the other way. Both told of England's anxiety to prevent annexation, and both expressed the opinion that commercial advantages could now be obtained in return for a pledge of permanent independence. Evidently, therefore, the temptation dreaded by Donelson was soon to be offered, with Houston less disposed than any one else to resist it; and before long an Englishman occupying a seat in the Texan House of Representatives informed the London *Times* that no danger of absorption remained, unless a Mexican attack should absolutely compel Texas to enter the American Union for the sake of safety.<sup>4</sup>

Some influences, however, tended to mollify the nation. When Van Zandt resigned and took his leave of Tyler, the President assured him of his fondly cherished hope that annexation had been defeated "only for a time"; and Jackson wrote to Houston that he saw "every reason now to believe that discussion and reflection" were strengthening the views of the public men who favored the project, and was anxious that the Texan Executive should adopt no course "which might create new embarrassment in the negotiation or legislation which would be necessary to carry into effect the measure of annexation." But bland assurances and pressing exhortations were now an old story, and month after month passed at the Hermitage without seeing a reply from Houston arrive. Less conspicuous but probably far more effective, letters from friends and relatives in the United States doubtless crossed the line by hundreds. A great number of the people had connections in this country, and the opinion must have been expressed a thousand times that the rejection of the treaty was not the final word on the subject.<sup>5</sup>

15, 1844. (*Civilian*) Kennedy, private, July 8, 1844. *Gazette: Nat. Intell.*, July 20, 1844. *Vindicator: N. Orl. Com. Bull.*, Aug. 19, 1844. To Smith, July 14, 1844.

<sup>4</sup> Don. to Calhoun, July 29, 1844: Jameson, Calh. Corr., 964. Smith to Jones, July 1, 1844: Jones, Memor., 369. Smith, No. 58, July 31, 1844. *London Times*, Jan. 17, 1845.

<sup>5</sup> *Madis.*, Sept. 13, 1844. Jackson to Houston, July 19, 1844: Yoakum, Texas, ii., 432.



Something helpful was done by the American government in changing their representative. Murphy, who was described as a "silly old man," had been acting for nine months by the President's appointment; but now, coming before the Senate for confirmation, he was rejected. "The tail goes with the hide," he remarked of this event when reporting the failure of the treaty to the Texan government, and so pleasant a turn induces one to forgive him for sometimes permitting a "whirlwind of emotion" to invade his "bosom"; but really the time had come for an abler and cooler man. Tilghman A. Howard was immediately appointed and confirmed in his place. The new chargé was not only a friend of Jackson's, but had formerly served upon the staff of the Governor of Tennessee when Houston bore that title, and evidently he was selected with these facts in view.<sup>6</sup>

His instructions were promptly given him. "The recent rejection of the Treaty of Annexation by the Senate," wrote Calhoun, "has placed these relations [between the United States and Texas] in a very delicate and hazardous state;—and the great object of your mission is to prevent, by every exertion in your power, the dangerous consequences to which it may lead." As your initial step, satisfy the Texan government that "the loss of the Treaty does not necessarily involve the failure of the great object which it contemplated. It is now admitted that what was sought to be effected by the Treaty submitted to the Senate, may be secured by a joint resolution of the two houses of Congress incorporating all its provisions"; and this will require only a majority in each. McDuffie's resolution was laid on the table by a vote of 27 to 19, many being absent, on the ground that there was not sufficient time to act upon it. As three of the absentees and three who voted in the affirmative support annexation, only two more votes are needed. The indications in the House are still more gratifying. On a motion to lay the President's Message and documents, which accompanied the treaty, on the table, the vote was 66 to 118; and on a motion to suspend the rules with a view to printing 15,000 extra copies of these papers, the vote was 108 to 79. In other words the majority are favorable. The sentiment of the people is even more satisfactory and is constantly growing better; and it is believed that after meeting their

<sup>6</sup> (Silly) Power to Jones, Feb. 12, 1844: Jones, Memor., 309. *Nat. Intell.*, May 28, 1844. To Murphy, No. 20, June 12, 1844. Murphy to Houston, July 3, 1844: Yoakum, Texas, ii., 432. Tyler, Tyler ii., 335, 430. Houston to Jones, July 8, 1844: Jones, Memor., 371.

constituents—particularly in the South and West—a sufficient number of Congressmen will come over to our side.

We cannot suppose, continued the Secretary, that the government and people of Texas will abandon the idea of annexation “so long as there is any reasonable hope of its success,” for that “would imply that they were not only insensible to the feelings and sympathies which belong to a common origin, but blind to their own safety and prosperity. The danger is that the revulsion of disappointed hopes highly excited, may be seized upon by an interested and wily diplomacy, and made the means of seducing them” into forming an alliance with England, which would eventually be disastrous to the United States, Texas and the American continent. Great Britain is purely selfish in desiring a close connection with that republic. “Whatever motive may be held out, the result, in the end, must be abject submission and degradation on the part of Texas,” for it is always so with alliances between small and great nations. “Their interests would be opposite in many and important particulars”; and the East India possessions of England would be her principal care, should their welfare conflict with that of America. Houston has won too much fame to hazard it now by taking a step which his fellow-citizens would long deplore, while by carrying out the plan “with which he is so intimately identified, he would fill the measure of his country’s glory and his own.” The defeat of the treaty was due to “temporary causes,” concluded the Secretary, and in reality the policy of annexation has “taken so deep and general a hold on the public mind that it must ultimately triumph, should it not be abandoned by the Government and People of Texas”; in evidence of which Howard received a copy of the pledge, signed by Congressmen from eighteen States, to urge the cause actively at their homes, a sanguine letter from Tyler, and a pencil memorandum from Calhoun predicting that the new Senate committee on foreign relations would be favorable.<sup>7</sup>

On arriving at his post, the chargé found himself in a difficult situation. Not only had Texas been rejected again, not only had her relations with other countries been compromised, and not only were her people indignant, but she seemed at this time to be in imminent peril as the direct consequence of Tyler’s course. The Mexi-

<sup>7</sup> To Howard, No. 1, June 18, 1844. Calhoun’s purpose in representing Houston as committed to annexation is obvious. (Pledge) State Dept., Arch. Tex. Leg. Tyler to Howard, June 18, 1844: *ib.* Calhoun, Memo.: *ib.*

can Congress had voted an even greater increase of the army than Santa Anna demanded. Under date of June 20, 1844, one day after giving notice to Houston of the resumption of hostilities, General Woll had ordered all communications with Texas to cease, and announced a programme suggesting the most vindictive warfare. In August it was reported from Mexico that an army of 15,000 men was expected to reach Matamoros in November; and Santa Anna did in fact propose to launch an attack in the autumn both by sea and by land. What made the situation appear the more alarming was the idea entertained by many that Great Britain stood behind the threatened invasion, preferring that Texas be Mexican rather than American. The consul of the anxious republic at New York, for example, felt little doubt of this; and the American chargé at Mexico reported that the British legation there, complaining that England had gained nothing from the independence of Texas, now desired that Santa Anna should subjugate that country.<sup>8</sup>

On the other hand it seemed as if the struggling nation, were she to abandon all thought of joining the United States, had a splendid opportunity just before her. In spite of her difficulties, immigration was pouring across her frontier from the north and east at an unprecedented rate. Not less than 5,000 persons were said to have passed through the single border town of Van Buren, Arkansas, during the summer and fall of 1844. The influx of Germans during the summer was described by the *Mississippian* as "immense," and a new German colony of from 6,000 to 10,000 farmers was on foot in July. Bourgeois d'Orvanne was reported to be actually on the ground with the intention of planting a large French settlement there; and a stream of thrifty immigrants from the Low Countries had now been flowing in for some time. Hockley and Williams asserted that Mexico would acknowledge the independence of the Texans if they would merely agree to remain a nation and pay a suitable share of her debt. Ashbel Smith had an interview with her consul at New Orleans, who stood almost in the position of a minister, and felt "satisfied" that recognition was within reach. Texas, the *London Mercantile Journal* pointed out to her, would lose greatly by joining the United States, since by pursuing a national policy she could enjoy the advantage of supply-

<sup>8</sup> (Army) Bank., No. 43, June 29, 1844. Woll to Houston, June 19, 1844: Ho. Ex. Doc. 2, 28 Cong., 2 sess., 27. Woll, Orders, June 20, 1844: ib., 34. *Nat. Intell.*, Aug. 13, 1844. (Propose) Bank., No. 54, July 31, 1844. Brower to Raymond, Aug. 16, 1844: Tex. Dipl. Corr., ii., 307. Green, private, June 17, 1844.

ing all Europe with cotton, sugar and cattle. Behind and beyond all this lay the possibilities of expansion on which, as the American chargé testified, Houston dwelt so fondly. Should Texas remain free to act, remarked the weighty *Journal des Débats* a little later, she had a good chance to extend south and get possession of the silver mines; and Jackson feared that a prospect of the absorption of Mexico, with an English guaranty of independence meanwhile and large British loans based on a treaty admitting British manufactures free, was gaining a party in that country.<sup>9</sup>

In fact, England seemed ready now to aid her, and Love asserted as a positive fact that such was the case. According to the postmaster at Houston, it was at length "certain" that she could form a commercial treaty with that country ensuring immediate recognition; and Houston informed Henderson and Van Zandt that without compromising her national position, she could secure safety through the aid of European powers. It seems likely that much passed in conversation between the representatives of Texas and England which escaped the record, and it is by no means sure that everything put on paper is now where an investigator can examine it; but certainly Pakenham said to the Texan secretary of legation at Washington that Great Britain, understanding the causes that had brought the annexation treaty into existence, would not allow it—should it be rejected—to affect her friendly attitude, and that during its pendency he believed the republic could make favorable terms with Mexico. The London *Times* gave a hint sufficiently broad regarding English sentiment. "If Texas wisely and resolutely proclaims the policy of free trade," it said, "she secures to her productions a natural preference in all markets; she buys from all markets on equal terms; and, above all, she gives to all foreign countries an equal interest in maintaining her independence." From this point of view, it looked as if the coldness exhibited by certain British representatives in regard to Texas did not spring from a desire to see her conquered, but from a hope that Santa Anna's threats might induce her to accept the terms offered by England and by him at England's request. That was substantially Jackson's

<sup>9</sup> Ark. *Intell.*: *Nat. Intell.*, Dec. 5, 1844. *Mississippian*: *Lib.*, Nov. 29, 1844. N. Orl. *Com. Bull.*, July 15, 1844. *Nat. Intell.*, March 28; Nov. 29, 1844. (Hockley) A. M. Green to Upshur, No. 31, April 7, 1844; State Dept., Cons. Letters, Galveston, ii. Smith, *Remin.*, 65. London *Mercantile Journal*, April 15, 1844. (Dwelt) Don. to Jackson, Dec. 28, 1844; Jackson Pap. *Débats*, April 29, 1845. Jackson to Blair, Jan. 1, 1845; Jackson Pap.

belief; and if one compare the unfriendly attitude of the British legation at Mexico, Pakenham's kindly hints, and Houston's remark to his envoys that independence could now be secured through European aid, one discovers a rational basis for his opinion.<sup>10</sup>

Tyler and Calhoun, having preached and apparently having entirely believed the doctrine of "Now or never" with reference to annexation, were fully alive to the danger that Texas would swing quite away, and the President intimated to her envoys that as he wished to do all in his power for the security of their country, no important change would be made in the military and naval arrangements already ordered. This assurance, however, was not accepted by their government as satisfactory; and early in August Jones demanded aid, basing his request upon the assurances given by Murphy and by Calhoun, the first of which had been disavowed, while the second had contemplated only the pendency of the treaty. Now it appears surprising that the Texan Secretary of State should have adopted this course. If he was appealing seriously to the friendliness of the United States, it would have been better not to remind them that they had refused to extend their protection beyond a limit which had now been passed; and therefore Jones's action, like his asking at an earlier stage for a pledge of assistance that he knew could not legally be given, suggests a wish to excite his fellow-citizens against the American Union, and incline them towards an acceptance of British protection.<sup>11</sup>

All that Howard could do in response was to remind the Secretary that the term during which his government had offered protection had expired, and to promise that he would lay the matter before them. Calhoun, however, saw a way to aid Texas without going beyond the constitutional powers of the Executive; and he wrote to Shannon, the recently appointed minister to Mexico, a rather surprising despatch, the substance of which was as follows:

<sup>10</sup> Love to Nicholas, Feb. 1, 1844: Crit. Pap. Norton to Calhoun, April 29, 1844: Jameson, Calhoun Corr., 949. Houston to Hend. and Van Z., April 29, 1844: Tex. Dipl. Corr., ii., 274. Raymond to Jones, April 24, 1844: Jones, Memor., 343. *Times*, Aug. 15, 1844. Jackson to Blair, Aug. 15, 1844: Jackson Pap.

<sup>11</sup> Van Z. and Hend., No. 124, June 15, 1844. Jones to Howard, Aug. 6, 1844: Ho. Ex. Doc. 2, 28 Cong., 2 sess., 25. Calhoun to Van Z. and Hend., April 11, 1844: Sen. Doc. 349, 28 Cong., 1 sess., 11. When Howard first presented himself to Houston, the latter satisfied him, in the course of a long conversation, that the Texan government would make no move to embarrass the annexation question (Howard, Memo., Aug. 2: Arch. Tex. Leg., State Dept.); but this appears to have been based upon no definite engagement on Houston's part and from such a diplomatist signified very little.

Evidently Mexico intends to wage a serious and barbarous war against her lost province, the real aim of which is to defeat the project of annexation. As she is aware, that measure has only been deferred. Congress adjourned without finally disposing of it, and the plan will almost certainly be accepted by our country. Mexico therefore designs either to subjugate Texas or more probably to drive her by a ferocious attack into some foreign connection that would be prejudicial both to her and to us. Now the policy of acquiring this territory has long been pursued by the United States; and are we at this late stage to let it be defeated, and see our neighbor—because she accepted the American overture—either laid waste or forced into an alliance that would produce hostilities between her and us? “The President has fully and deliberately examined the subject,” and has answered this question in the negative. During the recess of Congress he will use all his constitutional powers to ward off such results; and he would regard the invasion of Texas, “while the question of annexation is pending, as highly offensive to the United States.” If Mexico has taken umbrage, we are the ones to attack, for the invitation to treat regarding annexation was given by us; and as for standing aloof and permitting another to “suffer in our place,” we cannot. Humanity also, as well as honor and interest, calls upon us to intervene, for all nations desire the civilized usages of war to be respected, and we, being nearest the field of operations, have a duty to see that this is done in the present instance. For the same reason, too, our sympathies would have most to suffer, should those usages be violated. Mexico pretends that the Texans were intruders and usurpers; but they were invited to settle in that region for the sake of Spain and herself,—to protect it against the Indians, cultivate the wilderness, and “make that valuable which was before worthless,” and this they did. She pretends that they are to-day a lawless gang of adventurers; but they have established wise and free institutions, have obeyed the laws, have improved their beautiful country, and have maintained peace for years. They have prospered, too; and there is no excuse for treating them as outcasts. Present these points to the Mexican government; protest both against a renewal of the war while the subject of annexation is pending, and against the manner in which it is proposed to conduct the hostilities; repeat that the measure of annexation was adopted in no spirit of hostility to that power, and

renew our assurances that if it be carried through, the United States will be ready to settle most liberally all resulting difficulties.<sup>12</sup>

This was a very clever despatch. For pendency of the *treaty* Calhoun deftly substituted pendency of the *question*. On the one hand he again offered the olive branch to Mexico, and on the other he appeared to threaten a war which in reality the Executive had no power to declare. The tone of his letter and its general meaning were equally well calculated to please the Texans, and to either teach Mexico prudence or irritate that country into an explosion that would excite the people of the United States to the pitch of war. Yet after all it was fair and right in principle, for it would not have been just that a neighbor should suffer alone for a negotiation directly chargeable to us, or be driven by our course to purchase foreign protection.

At the same time Calhoun authorized the chargé in Texas to have American troops despatched to the frontier, or—should the government of that country so desire—placed on her soil, in order to prevent our Indians from making incursions there, as there was reason to believe that emissaries from beyond the Rio Grande were inciting them to do. This appeared to be a very reasonable and even obligatory step, since we were bound by a treaty with Mexico to hold our savages in leash; but it is obvious that such a movement of troops would look to her like preparation on the part of our government to carry out the implied threat of war. Further, although Calhoun recognized that the chargé's construction of his pledge of protection was correct, he directed Howard to notify the Texan authorities that the President felt under obligation to defend their country, so long as the question of annexation should be pending, against all attacks from Mexico caused by the American proposal to open negotiations; that his feelings on the subject had been expressed to that nation; and that he would advise Congress on its re-assembling to provide effectual aid. Of course a transcript of the despatch to Shannon was forwarded to Howard, and he was instructed to furnish the Texan Executive with a copy of it; and moreover the minister of that country at Washington was given reason to inform his government that he believed Tyler felt disposed to go even farther in her defence than he wished to make

<sup>12</sup> Howard to Jones, Aug. 6, 1844: Ho. Ex. Doc. 2, 28 Cong., 2 sess., 28. Calhoun to Shannon, Sept. 10, 1844: *ib.*, 29.

known. All this was sure to have a marked effect, so far as the facts were understood, upon the sentiment of Texas.<sup>13</sup>

About the middle of August Howard died of yellow fever,—the fourth out of five United States representatives to perish at his post during the short period since Texas had been recognized. At such a crisis this was decidedly unfortunate. The results, however, were not so serious as might have been anticipated, for neither Elliot nor Saligny saw fit to remain within reach of the scourge, and consequently our interests were as well represented there as were any. Indeed, it would appear that at this time Elliot was not even corresponding with the Texan authorities, for the American consul at Galveston reported that no one knew where he could be found, and Jones himself understood that he had resigned or been recalled. Probably, learning in the United States of the rejection of the treaty and well aware how that news would be likely to affect Houston, the British representative deemed any interference on his part superfluous, and so left the field open for his American rival.<sup>14</sup>

News of Howard's death was received by Tyler a month after it occurred, and the next day he informed Jackson that he had appointed Major Donelson to the vacant post. The President wrote that he would not consider even the possibility of a declination; and the appointee's intimacy with both Jackson and Houston, as well as his personal qualifications for the difficult position offered him, did in fact make acceptance almost obligatory. The next morning a special messenger set out from Washington for Donelson's residence. Within a month from the date of his appointment the new chargé wound up his affairs and left home to catch a Galveston boat at New Orleans; and on the sixth of November, in high spirits over the Democratic victory in Louisiana and convinced that the question of annexation had been settled so far as the United States were concerned, he sailed for Texas without even waiting for his official papers.<sup>15</sup>

<sup>13</sup> To Don., No. 11, Sept. 17, 1844: Ho. Ex. Doc. 2, 28 Cong., 2 sess., 36. To Howard, Sept. 10, 1844: *ib.*, 50. Orders to Taylor and Arbuckle, Sept. 17, 1844: Sen. Doc. 1, 28 Cong., 2 sess., 37, 38. Raymond, Sept. 13, 1844: Jones, Memor., 382.

<sup>14</sup> Kennedy, private, Aug. 24, 1844. Elliot (No. 12, May 20; No. 14, June 22, 1844) left the country in May and went as far north as Virginia. A. M. Green, No. 3, July 20, 1844: State Dept., Desps. from Mins., Texas, ii.

<sup>15</sup> Accounts differ here by a day. Tyler to Jackson, Sept. 17, 1844: Jackson Pap. (Intimacy) Yell to Polk, May 5, 1845: Polk Pap. Raymond, No. 132, Sept. 19, 1844. Jackson to Blair, Oct. 17, 1844: Jackson Pap. Easland to Polk, Nov. 5, 1844: Polk Pap. Kennedy, private, Nov. 12, 1844.



Only four days before, Secretary Jones had written to the British consul at Galveston, "I am truly sorry your Government have not an accredited Minister here, at this time"; and Jones had better reasons for this lament than he knew. He was now to deal, unsupported by Elliot for a time, with a man who had had much experience among the strongest and most acute politicians of the United States, and under a "plain, unpretending" appearance possessed keen insight, uncommon shrewdness and unflinching courage, all dominated by cool good sense. Jackson's nephew, wrote Van Buren, was "*fit for anything in this Govnt.,*" and only his modesty had prevented him from occupying a seat in the cabinet. Combining in himself, too, the Tyler-Calhoun influence, which Elliot had suspected of antagonizing somewhat the Jackson influence in Texas, with a most confidential intimacy at the Hermitage and perhaps as direct an access to Houston's heart as any man possessed, the new chargé was probably the very best person for the task that could have been selected; and the fact that he was reputed to be a particular friend of Polk gave him additional strength.<sup>16</sup>

On arriving, Donelson thought the signs unfavorable. Terrell, an avowed opponent of annexation, had been chosen minister to England and France; all in the confidence of the administration expressed doubts as to the wisdom of joining the Union; and the officials in charge of the records, when questioned as to the future relations of Texas to England, France and the United States, manifested a signal reserve. There seemed to be an absence of excitement regarding the threatened invasion, which suggested to the chargé a sense of confidence in European protection. Every day appeared to increase the strength of the British party, and the purposes of Great Britain could not well be opposed for they could not be made out.<sup>17</sup>

Donelson had an interview soon with Houston. The latter explained very blandly that he had wished to encourage England and Mexico with a prospect of defeating the United States while at the same time alarming the latter country regarding British intrigues, and thus hold the affair of annexation in such a way as to bring it about whenever he could, but that his hand had been forced and his policy defeated by over-ardent supporters of the

<sup>16</sup> Kennedy, private, Nov. 12, 1844. (Appearance) Terrell to Jones, Nov. 12, 1844; Jones, Memor., 398. Van B. to Bancroft, Feb. 15, 1845; Mass. Hist. Soc. Proc., 3 ser., ii., 437. Elliot, secret, Dec. 29, 1844. Kennedy, Dec. 5, 1844.

<sup>17</sup> Don., No. 2, Nov. 23, 1844.

cause; and he said squarely that Henderson and Van Zandt ought not to have signed the treaty without receiving fuller pledges from the United States to defend Texas. Donelson replied that Tyler was disposed to give the desired protection but found himself limited by the constitution; that the co-operation of Congress was essential to effect annexation; and that, had the President exceeded his authority, there would have been a disagreement between him and the legislative branch, which would have proved an obstacle. The remedy, said the chargé, was an appeal to the nation, and Polk's election would be a national endorsement of Tyler's project. To this Donelson added that he hoped nothing had been done to commit Texas to a policy inconsistent with that of the treaty, but from Terrell's language and the remarks of minor officials he feared such might have been the case. Houston answered that he was not in the habit of committing himself; and then, as the other callers retired from the room, he went on to remark that since the chargé was familiar with his trials and sufferings and came from Jackson, nothing could be concealed from him.<sup>18</sup>

To this Donelson responded with no little address. The ex-President was most anxious, he said, to have his friend Houston prove that he comprehended the effects which annexation would have upon the fate of free institutions, yet feared that he might be influenced by the plausibility which could be given to the "tempting" prospect of "making Texas a nucleus for the formation of new states, extending to the Pacific, affording a refuge for the oppressed of all nations, and rivalling the United States." "No—no—no!" was the reply; Jackson might feel sure that his counsels were highly valued, that his words were prized as treasures; the opposition of certain officials did not indicate the policy of the government; and as for Terrell, he had been sent abroad "to see what bids they would make," but with no power to commit the Executive. Houston then professed that he should be proud to have the union of the two countries brought about during the chargé's connection with the government, and showed every appearance of being determined to support the measure in question so long as there was a hope of effecting it on terms honorable and fair to Texas. The idea of prominence in the United States, however, which Donelson suggested would be gained by pursuing this course, was repelled,

<sup>18</sup> Don., No. 3, Nov. 24, 1844. It is noticeable that although Houston exclaimed, "No-no-no!" he did not disavow the ideas regarding the future of Texas that were attributed to him.

and the President said that his purpose was to spend the remainder of his life on his plantation. The chargé's comment on the interview was interesting. He remarked that Houston must be able to see that annexation would greatly increase the value of his lands, and that consequently his plan to depend upon them for his future occupation and support was perhaps as important an indication of his policy as all his assurances of devotion to Jackson and the cause. In other words, these protestations failed to convince.<sup>18</sup>

Donelson showed the President and the Secretary of State what Calhoun had written to Shannon and also a despatch from the same source to the American minister in Paris, which—taking advanced ground in favor of annexation—endeavored to prove that France, unlike England, had no reason to oppose this measure, but on the other hand a very strong motive for desiring to prevent Great Britain from obtaining a monopoly of the production and distribution of tropical commodities. With these documents Houston and Jones expressed themselves as satisfied; but far more significant in their minds, no doubt, was the news of the election. If Polk wins, Texas can join the Union, Van Zandt had predicted when he announced the defeat of the treaty; and his government could readily perceive that such a forecast was very reasonable.<sup>19</sup>

No less interested in the outcome of the American Presidential campaign were the people of that country. It revived their hopes of securing protection and prosperity, and Donelson reported that their love for the United States appeared to re-awake, while the bitterness caused by the rejection of the treaty seemed to abate in a like degree. The sharp correspondence between Shannon and the Mexican minister which had followed the delivery of Calhoun's message would prove still further, he believed, the friendship and fidelity of the American government; and he soon reached the conclusion that in a brief time, should nothing unfavorable occur in the north, annexation sentiment in Texas would be as strong as ever, "so strong indeed that no leading men in the Republic would hazard an opposition to it." Yet he still considered the situation critical. After talking with prominent citizens, he became satisfied that without having to give up slavery Texas could obtain recognition from Mexico through British mediation whenever she would accept it; and he felt that should unrestricted trade with England and France be offered in addition to the boon of acknowledgment, and should

<sup>19</sup> To King, No. 14, Aug. 12, 1844: Ho. Ex. Doc. 2, 28 Cong., 2 sess., 38. Van Z., [No. 122], June 10, 1844.

the American Congress fail to act promptly and favorably, a satisfactory result could hardly be expected. His aim, therefore, was to hold the Texan government in a state of willingness until an invitation could be offered by the United States in a practical form.<sup>20</sup>

At this time Houston's term as President expired, and a review of his course regarding annexation appears to be in order. Fortunately, after what has been said, this can be made very brief. Ashbel Smith, second only to him in ability among the statesmen of the republic and not his inferior in moral and intellectual straightforwardness, has stated that in 1836 Houston was for joining the United States because he did not think Texas capable of maintaining a national existence, but that his views changed, and his judgment favored the policy of independence; and Smith has expressed the opinion that judgment, not sentiment, was Houston's guide. The President himself wrote to Henderson and Van Zandt that his judgment had "never fully ratified" the popular desire for annexation; and we know that he shrewdly figured out the debit and credit sides of that question in a way to leave a huge balance in favor of nationality. His personal preference appears to have leaned very decidedly the same way. To appear in history as the founder of a new state was precisely the ambition that could appeal with overwhelming force to him; and in a private letter to Elliot, written in May, 1843, after pouring sarcasm, ridicule and invective upon the United States for their failure to appreciate his country as he felt she deserved, and after showing that her permanent independence would count against them and for the advantage of England, he continued: "It is not selfishness in me to say that I desire to see Texas occupy an independent position among the nations of the earth, to which she is justly entitled by her enterprise, daring, sufferings and privations. The blood of her martyrs has been sufficient to give cement to the foundation of a great nation, and if her independence be speedily recognized by Mexico, heaven will direct and carry out her destiny to a glorious consummation." Elliot felt convinced that such was his preference; and Murphy wrote solemnly to our government as follows: "I desire to say to you, and to impress you with a belief of the fact, that President Houston and his cabinet, as well, as all his leading confidential friends are secretly opposed to annexation. That He & they have apparently entered into the measure heartily, in consequence of the

<sup>20</sup> Don., No. 4, Dec. 5, 1844.

undivided & overwhelming sentiment of the People in its favor." Finally, the antecedent probability, various private expressions of Houston's that appear to have been sincere, and the opinions of those best qualified to judge in the matter, are confirmed by his adoption of a course that can fully be explained on no other hypothesis.<sup>21</sup>

The President's valedictory address was a further indication of his real sentiments. "The attitude of Texas now, in my apprehension," he said, "is one of peculiar interest. The United States have spurned her twice already. Let her, therefore, maintain her position firmly, as it is, and work out her own political salvation. . . . If Texas goes begging again for admission into the United States, she will only degrade herself. They will spurn her again from their threshold, and other nations will look upon her with unmingled pity. . . . If the United States shall open the door and ask her to come into her great family of States, you will then have other conductors, better than myself, to lead you into a union with the beloved land from which we have sprung—the land of the broad stripes and the bright stars." On the other hand, if we remain independent, the Pacific will be our boundary, and we can become "a nation distinguished for its wealth and power." Nor was his reply to the July letter from the Hermitage, which he sent four days later, much more promising, for he merely said that his country stood wholly untrammelled; that he trusted her future course would be marked by a proper regard for her true interests; that his own decided opinion was, that she should maintain her present position and "act aside from every consideration but that of her own nationality"; yet should the United States open the door wide, it "might be well" for her to accept the invitation. The gist of all this language appears to be that he desired Texas to remain independent, yet did not wish to lose the good-will of the Union or the leverage of the annexation project.<sup>22</sup>

On the ninth of December, 1844, Anson Jones was inaugurated as President. This gentleman, born at Great Barrington in 1798,

<sup>21</sup> Smith, *Remin.*, 80, 69. Houston to Hend. and Van Z., May 17, 1844: *Tex. Dipl. Corr.*, ii., 281. (A huge balance) Houston to Murphy, May 6, 1844: Crane, *Houston*, 366. Houston to Elliot, private, May 13, 1843: F. O., Texas, vi. Elliot, secret, Feb. 5, 1843. Murphy to Tyler, March 16, 1844, conf.: State Dept., *Desps. from Mins., Texas*, ii. Of course the theory that the two governments conspired to bring slave territory into the Union falls to the ground if we accept this interpretation of Houston's policy. The reader will know how to make a proper discount from Murphy's enthusiastic views of popular sentiment.

<sup>22</sup> *Tex. Nat. Reg.*, Dec. 14, 1844. Houston to Jackson, Dec. 13, 1844: Yoakum, *Texas*, ii., 433.

had been a country doctor in western Massachusetts. He was a person of medium height, medium weight and medium intellect; a well meaning, good-hearted individual of much common sense, and a bearing that corresponded with his character. Elliot described him as worthy, friendly, plain in speech, simple in manner, sound in judgment, "remarkably cautious and reserved," and endowed with "a moderate degree of the skill and firmness of his predecessor"; and this portrait was done by a good critic of men, somewhat prejudiced in favor of Jones's anti-annexation judgment. To Donelson he appeared at the first interview "frank and cordial," and seemed to possess "in a high degree" the qualities needed by the chief magistrate of Texas. A careful study of his record shows that he was neither very able nor very straightforward; but one can see that his genial, open and sensible appearance, combined with his great caution and reserve, enabled him to make a decidedly favorable impression.<sup>23</sup>

The relations between the outgoing and the incoming Executives were somewhat peculiar. Donelson spoke of Jones as "the particular friend" of Houston, and the British consul at Galveston stated that he owed his election almost entirely to the support of his predecessor; but Jones's book, written after the two had become open enemies, exhibits a very different view. The opinion is there expressed that Houston desired to have Burleson succeed him, and this desire is attributed to a hope that Burleson, like Lamar, would fail, and thus make Houston seem the more brilliant and indispensable. Jones further represents that his predecessor was intensely selfish and extremely cunning; that he had taken the credit of everything done by his Secretary of State, and wished to pursue the same policy regarding Jones's conduct as President; and that only by making concessions to his vanity and letting him have the coveted glory could persecution be avoided; but that after all Houston had "no agency" in the succeeding administration.<sup>24</sup>

In some of these remarks, however biased, there would seem to be a large element of truth. Houston was no doubt far stronger, deeper and shrewder than the other man. He found in Jones a useful clerk,—simple, steady, orderly, laborious, sensible and naturally sincere,—in a word, everything that he himself was not. Such a

<sup>23</sup> Jones, Memor., frontispiece. Elliot, secret, Dec. 28, 1844. Don., No. 4, Dec. 5, 1844.

<sup>24</sup> Don., No. 4, Dec. 5, 1844. Kennedy, Dec. 5, 1844. Jones, Memor., 41, 26, 69.

lieutenant was greatly needed by such a leader, and probably did not seem likely to become a dangerous rival. Jones, on the other hand, aware that he could do many things better than his chief and not fully conscious of his own limitations, aspired to be a sun instead of a moon; yet he was too familiar with Houston's art and power and too well aware of his influence in the country to desire anything like an open rupture, and, as they believed in the same policy, it was easy enough to avoid a break. To take his Memoranda at face value, one would conclude that the annexation of Texas to the United States was due to his longing for that arrangement. But the book seems to have been written to clear him from the odium of having attempted to defeat the measure; it was composed in a spirit of desperation which appears to have been the cause not long afterwards of his suicide; on a close scrutiny it is found to contain inconsistencies and admissions which impair the author's credit as a witness; and it cannot survive a comparison with Elliot's despatches, which were written at the time and with every motive to be accurate in reporting events, conversations and impressions. Ashbel Smith said in his *Reminiscences* that he clearly believed Jones preferred independence; and *Le National* of Paris suspected quite naturally, as did many others, that he felt no inclination to exchange the headship of a nation for the Governorship of a State,—an exchange that must have seemed peculiarly hard, since the more exalted position was a bird in the hand and the other only a bird in the bush.<sup>25</sup>

In his inaugural address the subject of annexation was not mentioned; but Elliot supplied the omission, so far as the British Foreign Office was concerned, by reporting soon after its delivery that no trouble about maintaining the nationality of Texas would exist, if the matter "depended in any considerable degree upon the dispositions" of her government, and Donelson helped his uncle understand Jones's silence by admitting before long that British influence was beginning to tell. The Message to Congress was equally dumb on the subject; but in a few days the President sent in a recommendation that a free trade arrangement be made with such countries as would abolish their tolls on the chief products of Texas, —a definite advance towards England.<sup>26</sup>

Soon after his inauguration Jones made an evening call upon

<sup>25</sup> Smith, *Remin.*, 81. *Le Nat.*, Feb. 21, 1845.

<sup>26</sup> Elliot, No. 15, Dec. 10, 1844. (Don.) Jackson to Lewis, Jan. 1, 1845: Ford Coll. *Madis.*, Jan. 10, 1845.

Elliot and announced his policy at length. After expressing the opinion that a majority of his intelligent fellow-citizens were aware that the best course would be to maintain a national position, provided Mexico would recognize it, he said he did not doubt that if he could offer the people a prospect of securing this recognition on fair terms, "He and his friends would have strength enough to turn them aside from any further thought of annexation;" and he desired that the British and French representatives be fully empowered to act on Texan questions, so that at any propitious moment these could be "irrevocably" settled before the United States could interfere. He then explained that the most determined support of the annexation measure proceeded from the sugar interest, and suggested a scheme to wean the planters from it by making the British tariff more favorable to them. This conversation, added to other indications of many kinds, appears to place the question of the President's attitude entirely at rest.<sup>27</sup>

Ebenezer Allen, the acting Secretary of State, who had been for a time Houston's Attorney General, was described by Ashbel Smith as a man of extraordinary legal acumen, always firmly opposed to the surrender of nationality, and more relied upon than any one else by Jones; while Elliot said he had "the best dispositions" on the question of joining the Union. Some two months before, he had gone so far as to assure the British consul that if he could defeat the annexation scheme, it would be "the proudest moment" of his life. Donelson, however, did not hesitate, and without delay he addressed the hostile Secretary. While the United States are exposing themselves to Mexican hostilities by their faithfulness to Texas, he wrote, they infer and expect that she will at least refrain from looking upon the plan of joining them as lost. The election of Polk has strengthened the hope of carrying that measure through; the temporary causes which led to the defeat of the treaty have been removed; and further study of the subject by the American public is rendering the idea more attractive. For these reasons, its early realization may be expected. No doubt the development of Texas has been retarded by the delay, but she can console herself by reflecting on the benefits annexation will eventually bring; and her magnanimity in rising above the resentment that was natural in view of the apparent insensibility of her kindred in the north, will give her a special claim to the gratitude of future millions. To

<sup>27</sup> Elliot, secret, Dec. 28, 1844 (confirmed, *e. g.*, by his No. 17, Dec. 21, 1844); No. 10, March 6, 1845.



defend the policy of joining the American Union against those who describe it as exclusively beneficial to that nation, would be a reflection upon the judgment of the people of Texas, who have so long preferred it. It is really a question of "mutual, equal, and vital, benefit and safety to both Republics." Texas has seen this more quickly than the United States, but that is merely because she has had better opportunities to judge.<sup>28</sup>

To this Allen replied that the relations of the two countries in regard to this matter would not be changed by any unfavorable action on the part of the Texan Executive, but they might depend upon causes over which he could exert little or no control; the ardor of the people for annexation had no doubt been diminished by the apparent defeat of the measure, yet the President hoped that they would not become inflexibly opposed to it before its consummation could be brought about. This was a little cool, and in reporting it Donelson felt able to be a good deal more optimistic than Allen regarding the attitude of the Texans. Without question the necessary suspension of commercial treaties, changes in the revenue laws and the like during the period of waiting was very inconvenient, and another disappointment might be fatal; but should annexation be offered within a reasonable period, he believed it would be ratified in Texas "with great unanimity."<sup>29</sup>

At this juncture Duff Green arrived and began to develop his lofty plans. The result was a sharp clash with the Executive, intensified probably by the fact that a long-standing feud existed between him and Houston; Jones recalled Green's *exequator* by proclamation; and the representatives of England and France were said to be jubilant, declaring that annexation had become impossible for at least three years. Finally, however, Green disclaimed any intention to wound the feelings of the President or interfere with the independent discharge of his official duties; the disclaimer was accepted by Jones; and so, as Donelson reported, "this unpleasant affair . . . passed away, producing no injury to the friendly relations existing between the two countries."<sup>30</sup>

<sup>28</sup> Smith, Remin., 81. Elliot, secret, April 2, 1845. Kennedy, private, Sept. 9, 1844. Don. to Allen, Dec. 10, 1844: Sen. Journ., 9th Tex. Cong., 191.

<sup>29</sup> Allen to Don., Dec. 13, 1844: Sen. Journ., 9th Tex. Cong., 195. Don., No. 8, Dec. 17, 1844. Donelson accepted Allen's pledge as satisfactory, but no doubt this was largely because he counted on the rising annexation tide among the people.

<sup>30</sup> (Plans) Chapter x. Jones to Don., Jan. 4, 1844: State Dept., Desps. from Mins., Texas, ii. Elliot, secret, Dec. 29, 31, 1844. (Jubilant, etc.) N. Orl. *Picayune*, Jan. 11, 1845. Don., No. 10, Jan. 25, 1845.

About the middle of January, 1845, the committee on foreign relations of the Texan Senate made a report. This admitted that the time for acting upon the subject of entering the American Union had not yet arrived, but added that it was proper to make an expression of sentiment. Annexation, said the committee, was "already emphatically willed by the people of both countries"; and now, when the citizens of the United States had shaken off the politicians who defeated the measure and the long cherished desire seemed to be at the point of realization, "would it not evince the greatest ingratitude to our friends who espoused our cause, and staked their political hopes on the issue," to change? Moreover annexation is for the best interests of Texas, continued the report. The object of government, according to our constitution, is "to establish justice, insure domestic tranquility, [and] provide for the common defence and general welfare." Beside these benefits "the imaginary glory" of independence fades into nothingness; and all of these ends would be better gained by joining the United States than by undertaking "the tardy, uncertain, and hazardous experiment of building up a new government, burdened with a heavy debt, and possessed of peculiar domestic institutions which invite the improper interference and misplaced philanthropy of the world?" We need protection against the predatory warfare of Mexico; we need to be defended against the Indians; and we need a naval strength, without which we cannot send out merchant ships. With annexation would come peace, security, American capital and population, commerce, manufacturing, increase of values, and the permanence of distinctively republican influences. Most of the Texans are from the United States and have relatives there; and the two peoples are the same in language, customs and religion. Were a European immigration, promoted by monarchical governments, to fill our territory, the republican character of our institutions would change, and irritation between us and our powerful neighbor would follow. The American Union itself might perish, and "the enemies of constitutional liberty triumph."<sup>81</sup>

This address indicates clearly the existence of a serious tendency in the contrary direction, and nine days later the committee on the state of the Republic reported in the House of Representatives as follows: "Resolved, That if the present Congress of the United States shall finally adjourn without the adoption of such measures

<sup>81</sup> (Report) F. O., Texas, xiii. *Wash. Globe*, Feb. 22, 1845.

as shall leave our restoration to the Union beyond all reasonable doubt, it will be the duty of the Executive to enter into such negotiations for treaties with other powers, as will relieve our staple products from duties in foreign Ports," and secure to those powers a similar advantage here. The resolution was defeated by a substantial majority; but this, Elliot understood, was because it seemed to put constraint upon the United States; and the fact that it was offered had considerable significance. On the other hand Ashbel Smith, now the Secretary of State, wrote to the Texan chargé at Washington that the President wished him to use his "most strenuous exertions in every proper manner to accomplish the annexation of Texas to the American Union—a measure earnestly desired by" his government. But this injunction signified nothing regarding the intentions of the Executive, since Raymond could now wield no appreciable influence in the matter; and its apparent meaning is offset by Jones's distinct intimation to Elliot that no move towards the United States would be made by him. No doubt, like certain previous instructions that have been mentioned, it was given for merely strategical reasons.<sup>32</sup>

Very soon arrived the joint resolution passed by the American House of Representatives, but it received no cordial welcome. The British minister described the terms as "hard conditions," much less favorable than the friends of annexation had expected and a source of encouragement to the opposition. It was urged, he reported, that the proposition was entirely one-sided; that a State government would cost as much as the existing régime; that under the American fiscal system living would be dearer and trade less advantageous; that the United States ought at least to have guaranteed the possession of all the territory claimed by Texas, especially as they, having no responsibility for her debts, could afford to be liberal with Mexico about the boundary, and might negotiate away the land needed to pay those obligations with; that under the constitution the sense of the people could not fairly be taken in time to have a new organic law ready for presentation to the American Congress by the first of January, 1846; and that no conditions regarding slavery ought to have been made. Besides, there was no assurance that even these terms would be adopted by the United States

<sup>32</sup> (Resolution) Elliot, No. 5, Feb. 8, 1845. To Raymond, Feb. 11, 1845. Elliot, secret, Dec. 28, 1844. Don. (to Calhoun, Jan. 30, 1845; Jameson, Calhoun Corr., 1023) said Elliot and Saligny, though not in Texas, were exerting themselves actively against annexation.

Senate; and Elliot wrote, "I certainly have no belief" that such will be the case. The Galveston *Civilian*, a pro-British and pro-Houston sheet, exclaimed: Texas is to give everything, receiving "nothing in return but the name of being a state in the American Union," and her labor system will be menaced by the growing anti-slavery sentiment of the North. The *National Register*, edited by a confidential friend of Houston's, after describing Brown's plan in lurid terms of indignation and contempt, which probably only the ex-President's vivid imagination was capable of supplying, declared that its picture was but "a dim and totally inadequate view of the actual pit and grave of insignificance and infamy" into which the American House of Representatives desired to plunge Texas, there to lie in "national abeyance and limbo" "in a state of imbecile and hopeless dependence" upon the United States, and never to be annexed until no more political capital could be manufactured from the issue. This was perhaps the angriest explosion, but the general attitude of the Texan editors on the subject was described by the New Orleans *Picayune* as both "unpleasant" and "unexpected." "If the tone of earnest indignation in which they speak is not sincere," admitted the New York *Commercial Advertiser*, "it is at least exceedingly well counterfeited." Another revulsion of feeling appeared to have set in. The New York *Tribune* pronounced the House resolution a failure; and the *Morning News* of that city, like the *Enquirer* of Richmond, called upon Polk to begin afresh by sending a plenipotentiary to the offended republic.<sup>33</sup>

Meanwhile hints were appearing that an alternative would soon be placed before the anxious Texans. In December, 1844, the *Civilian* announced that the country would have an opportunity before long to choose between recognition by Mexico on the basis of permanent independence and a longer period of suspense on the mere chance of being accepted by the United States. Early in February, 1845, the *National Register* published another editorial that sounded like Houston, representing that England and France clearly perceived the great interest they had in the permanent nationality of Texas, were willing to place commercial intercourse with her on "the most liberal footing," would ask no concessions or equiva-

<sup>33</sup> To Raymond, Jan. 27, 1845. Elliot, No. 7, Feb. 15, 1845. Galv. *Civilian*, Feb. 12, 1845. (Bias of *Civilian*) N. Orl. *Courier*, Nov. 27, 1845. *Nat. Reg.*, Feb. 22, 1845. (Friend) Don., No. 21, April 29, 1845. N. Orl. *Picayune*: Wash. *Globe*, March 22, 1845. N. Y. *Com. Adv.*: London *Times*, April 14, 1845. N. Y. *Tribune*, March 25, 1845 (also *News* and *Enq.*).

lents except resolute independence, and, should this condition be offered, would compel Mexico forthwith to lay aside her airs of hostility; and later that month the same journal printed a letter from "a gentleman of high position in Europe," which it described as giving an official assurance that should annexation to the United States be prevented, there remained "the certainty of peace and an immediate recognition" upon the "simple ground" of evincing due willingness to remain a nation.<sup>84</sup>

Elliot about the same time had several talks with the Secretary of State, who by his own admission preferred that course, and he reported Smith and Jones as agreeing that the temper of the people was changing again, and that—should terms based on permanent independence be offered now by Mexico—they would be very generally acceptable and would be steadfastly maintained. Recognition, it had no doubt been feared, would facilitate the absorption of Texas by the United States; but Elliot pointed out to his government that a state of peace would bring in a population not at all inclined to join the American Union,—a prospect well calculated to reassure Great Britain and France and to soothe the pride of Mexico. The signs pointed then towards close commercial relations with England and through her assistance an early conclusion of the nominal war; and in March the Mexican consul at New Orleans wrote home that according to the general opinion Texas would refuse to be annexed.<sup>85</sup>

<sup>84</sup> Elliot, No. 7, Feb. 15, 1845. *Galv. Civilian*, Dec. 14, 1844. *Nat. Reg.*, Feb. 8, 15, 1845.

<sup>85</sup> Smith, *Remin.*, 81, 82. Elliot, No. 10, March 6, 1845. *Arrangoiz*, No. 54 (res.), March 18, 1845.

## XVIII

### THE POLICY OF ENGLAND AND FRANCE IN REFERENCE TO THE ANNEXATION OF TEXAS

As early as April, 1830, Mexico drew England's attention to Texas, and mentioned in particular the desire of the United States to obtain it. Gorostiza, her minister at London, had a formal interview with Aberdeen, declared that his country "would never voluntarily consent" to the cession of the province, and expressed a wish to know the feeling of Great Britain on the subject. His Lordship, indeed, had already said that "the severing of a part of the Mexican territory would be of general significance, and could not suit the interests of England," but Mexico now desired something more explicit. To this Aberdeen replied that Great Britain felt deeply concerned about the matter. He did not believe the United States, however anxious to possess this important region, entertained hostile intentions against the owners of it; but he asked Gorostiza to call at any hour when he should have cause to suspect the existence of such designs.<sup>1</sup>

As it has already been suggested, there were ample reasons why Great Britain should oppose our acquiring Texas. The area, wealth and population of the United States would be increased; the danger of our absorbing also the Mexican republic, where England had large interests, would become more imminent; and our hold upon the Gulf of Mexico would be strengthened. At the same time Great Britain would lose the priceless advantage of possessing a source of cotton supply outside of the United States and the profitable opportunity to land merchandise at Galveston, under a low rate of duties, not only for the Texas market but for illicit introduction into the adjacent portions of two high tariff countries. There was also another ground of objection probably. Besides extending American slavery, annexation would reinforce it; and both of these results were contrary to British policy.<sup>2</sup>

<sup>1</sup> See General Note, p. 1. Gorostiza to Relac., No. 10 (res.). April 22, 1830: Sria. Relac.

<sup>2</sup> According to the best English opinion, the annexation of Texas to the United States was quite liable to be followed by the annexation of Mexico. Pakenham, long minister to Mexico, wrote to the British Foreign Office (No. 22, April 14,

In October, 1843, Elliot was shown the despatch from Van Zandt which announced that the American government had informally but earnestly suggested union to Texas; and in December Fox, the quiet but watchful British minister at Washington, called the attention of the Foreign Office to portions of Tyler's annual Message which he thought pointed in that direction. Lord Aberdeen, believing that Houston desired the maintenance of nationality seems to have been confident that no favor would be shown to such a proposal by his administration, and therefore had seen little danger; but the President's Message and the report from Elliot aroused him considerably, it is probable, for on the ninth of January, 1844, he addressed a note on the subject to Pakenham, who had now been transferred from Mexico to Washington. At about this time Ashbel Smith, the Texan chargé, was in Paris. There he discussed with Guizot the interests of his nation; and then, going to London, he conferred with Aberdeen. As a result of these interviews—if Guizot was right in what he stated to the Chamber of Deputies—His Lordship addressed a letter on the twelfth of January to the British ambassador at Paris. In this he said that it appeared "sufficiently evident [from Tyler's remarks] that the future annexation of Texas" to the United States was "contemplated by the President"; that the government of Louis Philippe had recognized the new republic, and "the Interests of the two Countries [England and France] in that part of America were, in all respects, the same"; and that consequently he presumed that France, like England, "would not . . . look with indifference upon any measure, by which Texas should cease to exist as a separate and independent State." He therefore instructed Cowley to ascertain whether the cabinet of His Majesty shared these views, and in that case to "propose that the Representatives of the two Governments at Washington and in Texas, should be instructed to hold the same Language; deprecating all interference on the part of the United States in the affairs of Texas, or the adoption of any measure tending to the destruction of the separate existence of that State; at the same time, warning the Texian Government not to furnish the United States with any just cause of Complaint, and encouraging them to look to the preservation of their independence, as the best security for their ultimate prosperity, both political and commercial."<sup>3</sup>

1844: F. O., America, cdv.): "it may be feared that if the present project [the annexation of Texas] should unfortunately take effect, the Independence of Mexico will cease to be worth many years purchase."

<sup>3</sup> Elliot, secret, Oct. 31, 1843. Fox, Dec. 13, 1843. (Believing) Smith, No. 55, June 2, 1844. To Pak., No. 1, Jan. 9, 1844. (Guizot) *Le Nat.*, Feb. 2, 1846

Three days later Cowley replied that on a recent visit at the Tuileries, before these instructions had reached him, the King himself had broached the subject, remarking that it appeared from the President's Message as if the United States intended to bring about annexation, a point of no slight importance; that the scheme ought to be opposed; and that Guizot had been desired to open negotiations on the matter with Her Majesty's government. It was therefore not surprising that when the despatch of January 12 was made known to Guizot, he entirely concurred in its views, replied that Sainte Aulaire, the French ambassador at London, would be instructed at once to confer with Aberdeen, and Pageot, the minister at Washington, to act in strict concert with Pakenham, and remarked further that he personally thought it of importance to oppose the designs of the United States in this matter. On the twenty-ninth of the month the instructions to Saint Aulaire were actually issued, and in them Guizot went so far as to say, "It would not suit us under any consideration to accept without protest such a change" as the absorption of Texas. The instructions to Pageot were dated February 10, and he was told to inform the government of the United States clearly that even should the people of that republic wish to be annexed, France "could not view such an event (*fait*) with indifference." Thus the concert of the two powers on the subject was inaugurated.<sup>4</sup>

To understand why Louis Philippe embarked upon this course, it is necessary to study the matter somewhat carefully. In July, 1836, Cuevas, the Mexican minister at Paris, reporting that a war between Mexico and the American Union was generally believed there to have begun, said he did not doubt "for a moment" that his country would receive from France and England "all the support which their commerce with Mexico, their ardent desire to check the aggressive (*invasora*) policy of the United States and the justice of the Mexican cause demanded"; and from this it may be inferred what ideas he was endeavoring to inculcate. Two months later the Mexican department of foreign relations instructed him "to secure by all possible means the rectification of public opinion" in France, which it was feared that accounts of the atrocities perpetrated in Texas would affect. Cuevas had anticipated this order. In July

(This trip to London does not appear in Smith's reports). To Cowley, No. 16, Jan. 12, 1844. A copy of this despatch was sent to Elliot, Jan. 31, 1844.

<sup>4</sup> Cowley, Jan. 15, 1844. To Ste. Aulaire, Jan. 29, 1844: *Le Const.*, Jan. 12, 1846. To Pageot, Feb. 10, 1844: *ib.*



*La Presse* of Paris had contained an article, the basis of which had been furnished by him, declaring that the United States had "inherited the ancient Punic faith of England," and that in the eyes of the great American republic "all means were good." Cuevas had already enlisted the *Journal des Débats* also in his campaign, and in July that paper had printed an article on the United States especially designed to bring odium upon this country for tolerating slavery. After receiving his orders to influence public opinion it may be assumed that the minister did not relax his efforts; and his successor brought out and distributed the following year large numbers of the pamphlet prepared by Gorostiza, which attributed to the United States an improper and encroaching policy in the Texas affair. Diplomats, journalists and government officials were the persons he endeavored to instruct in this way, and he believed that his exertions were not without success.<sup>5</sup>

By these methods very likely the French government were somewhat stimulated to regard the aims of the United States as ambitious and aggressive; and, in addition to such promptings, Louis Philippe had ample reasons for desiring to prevent the annexation of Texas. As a monarch, he could not look with favor upon the development of a powerful republic. Royalty was his trade. The time had gone by when he had thought it for his interest to flatter democrats, and now he feared and detested them. He was "every inch a King," said our representative at his court in suggesting this explanation of his conduct. Moreover, as a sovereign by the right of revolution he found himself isolated in Europe, his government, said the American minister, having "never been viewed with a favorable eye by the great continental monarchies." It was England that had taken the lead in acknowledging him, and England, he felt, was still his "main stay." Threatened every moment, not only by this legitimist ill-will but by the strong revolutionary tendencies of France and Europe, it was upon British support that he counted to maintain that peace among the nations and the peoples which he deemed essential to the security of his dynasty and the prosperity of France; and, besides wishing to oblige his almost indispensable neighbor, he could see that the two countries, having somewhat similar interests in the Texas affair, would naturally be drawn together by joint action

<sup>5</sup> Cuevas to Relac., No. 67, July 13, 1836: Sría. Relac. Relac. to Cuevas, No. 102, Sept. 12, 1836. *La Presse*, July 5, 1836. *Débats*, July 12, 1836. Mangino to Relac., No. 28, July 13, 1837: Sría. Relac.

regarding it. Moreover he desired in particular to earn the assent of England to the marriage of Montpensier and the Infanta.<sup>6</sup>

As a Latin, too, the King could not rejoice in the upbuilding of a great "Anglo-Saxon" power in America. As a Bourbon he was peculiarly tenacious of the family compact idea, and he well understood that in case of the failure of the direct line the French branch would inherit a claim to Spain and all Spanish America. As a member of the Orléans house, if *Le National* of Paris was right, he had inherited the policy of favoring England. As a believer in the balance of power, he felt opposed to the existence of any greatly preponderant nation in the western hemisphere; and in particular he was keenly alive to the danger that our neighbor on the south might suffer from American encroachments. Indeed, he told the Mexican minister explicitly in July, 1844, that the ambition of the United States would not be satisfied with Texas, but "would follow its aggressive system at the expense of Mexico unless a strong barrier were immediately established between the two countries"; and he dwelt on the same point in his conversation with Cowley.<sup>7</sup>

Moreover, France had recognized Texas in the expectation of securing commercial benefits; and while as yet almost nothing had been accomplished—two vessels carrying all the trade in 1845—there were still opportunities and hopes, especially as a former French colonist in Texas felt able to say that the French-speaking element there was the strongest except the American, and that the tastes and habits of the people made them like French goods. It was, besides, a point of pride to save a power which His Majesty had acknowledged as independent from being swallowed up by another nation. In fact, after recognizing Texas the King had logically desired from the first that her nationality become real, and as early as May, 1841, the following curious dialogue had occurred between him and the Mexican representative at his court.

"Have you news from Mexico?" inquired His Majesty.

"I have recently received quite satisfactory news," replied Garro.

"The country is at peace? You believe, Monsieur Garro, that there will be no war?"

"That is my hope, Sire."

"I am glad, for you know that I do not like war, which is a great evil."

<sup>6</sup> King, No. 9, Dec. 31, 1844: No. 21, Jan. 1, 1846. Martin, No. 17, Aug. 15, 1845. Bancroft to Polk, Nov. 3, 1846: Bancroft Pap.

<sup>7</sup> (Claim) London *Atlas*, Aug. 16, 1845. *Le Nat.*, Jan. 27, 1845. Garro, No. 15 (res.), July 4, 1844. Cowley, Jan. 15, 1844.

"Certainly, Sire."

"So there will be no war? That is best. Still, you have not made a treaty of peace yet."

"Sire, I misunderstood Your Majesty and thought you spoke of civil war. Our war with Texas the Republic is resolved to continue."

"The Spanish pronounce the name *Tecas* and not *Tecsas*, do they not?"

"Certainly."<sup>8</sup>

Guizot shared most of these ideas more or less strongly, no doubt. The new republic, he said later in the Chamber of Deputies, had been recognized in order to obtain raw materials on better terms than the United States would give, to secure lower duties than the American rates, to acquire valuable markets, and to avoid the annoyance of sending French merchandise to Galveston by way of New York. Still more strongly he dwelt upon the idea of a balance of power in America, and his letter to Pageot urged the value of Texas as a barrier against us. In the same despatch he insisted that it was due to the dignity of France that the national standing of that country be respected; and for commercial as well as political interests he considered it an important principle that independent states remain separate.<sup>9</sup>

There were also other reasons. Naturally he was under an obligation to comply with His Majesty's wishes. He felt, said Edward Everett, that "without the good will of the present British Government his own would sink." In particular there was no little dissatisfaction in France on account of the right of search that had been conceded to English cruisers with a view to the suppression of the slave trade; the minister desired to have the great credit of securing a modification of the agreement, as he actually did in 1845; and Everett, like many French politicians, believed that he was disposed to gratify his neighbor in the Texas matter in order to secure this favor in return. Indeed, Thiers asserted flatly in the Chamber of Deputies that France adopted the English policy in this business in order to buy back the right of visit.<sup>10</sup>

It is very likely, too, that Guizot thought the matter a small one.

<sup>8</sup> King, No. 1, July 13, 1844. (Vessels) Billault in Chamber of Deputies: *Le Nat.*, Jan. 22, 1846. *Revue de Paris*, March 18, 1845. Garro, No. 7 (res.), May 10, 1845.

<sup>9</sup> Everett, No. 331, June 17, 1845. *Débats*, Jan. 23, 1846. To Pageot, Feb. 10, 1844: *Le Const.*, Jan. 12, 1846.

<sup>10</sup> Everett, private, Feb. 26, 1845. *London Journ. Com.*, June 7, 1845. *Revue de Paris*, Feb. 15, 1845. (Thiers) *Débats*, Jan. 21, 1846.

Pageot had written about it in at least three despatches during 1843, asserted Berryer, without rousing any particular interest in the French foreign office. Probably the chief minister did not imagine that anything more than diplomatic operations would be called for. His expectation was, our representative thought, that Clay would be elected President in 1844, and the question of annexation be dropped. The reports of his agents that the Texan people did not wish to be absorbed, drew him in the same direction; and in his despatch to Pageot he stated that the opposition against the annexation of that country was based primarily upon the supposed unwillingness of her citizens to join the United States. In short, for all these reasons he believed that no harm could result from meddling, that he could thus accumulate merit with England, that he could please his master, and that he could strengthen both his own administration and the national interests. Accordingly, though the French government cared intrinsically much less about the matter than did the English, it was determined to protest formally against the absorption of Texas, and after some delay instructions to that effect were received by Pageot.<sup>11</sup>

They arrived at about the time Calhoun signed the annexation treaty, and the ministers of England and France, who had already conferred on the subject, again took counsel together. Pakenham, though not authorized to go as far as his colleague, had already remonstrated against the project in plain terms, and he would have felt justified now in uniting with Pageot in a formal protest, had he thought such a step would have "the effect of arresting the progress of the mischief"; but, he reported, "I agreed with M. Pageot in the opinion that a simple protest on our part, unsupported by an intimation of more decisive measures of resistance—and this intimation neither of us were authorized to make—would have been quite insufficient to arrest the evil intentions of this Government." On the other hand, by arousing a popular outcry it might weaken the anti-annexation strength in the Senate, and would certainly—should the measure be consummated—render the position of England and France as passive witnesses the more "unpleasant." Consequently it was agreed by the two diplomats that no protest should be made.<sup>12</sup>

<sup>11</sup> (Pageot) Berryer: *Débats*, Jan. 31, 1846. King, No. 9, Dec. 31, 1844. To Pageot: Note 9. King, No. 25, Jan. 30, 1846. Smith, No. 55, June 2, 1844. (Cared less) Id., July 1, 1844: Jones, Memor., 369. (Instructions) Pak., No. 22, April 14, 1844. The truth about the protest was studiously concealed, and all kinds of assertions and conjectures in reference to it are to be met with.

<sup>12</sup> Pak., No. 22, April 14, 1844.

At the end of March Pakenham had reported from Washington that he believed an annexation treaty was to be concluded "as soon as a certain General Henderson supposed to be now on his way from Texas" should arrive; and about the middle of the following month he sent word that he was "assured" the treaty had been signed. It then occurred to the British government that perhaps these proceedings could be checked by an appeal to international law, and on May 13 the opinion of Her Majesty's Advocate General was requested. With startling promptness Mr. Dodson replied only two days later. A state recognized as independent has the right, he said, to "divest Itself" of sovereignty by a treaty of annexation although it has made treaties with other nations, unless it has engaged not to do so, and even in that case is at liberty to take such a step if constrained by "an over ruling necessity." Little comfort could be derived from this opinion. In diplomacy therefore appeared to lie the best hope; and three days afterwards Pakenham was informed that immediate and anxious attention would be given to the subject.<sup>13</sup>

This bore fruit within a fortnight in an interview with Murphy, the Mexican representative at London, and in a Memorandum of the conversation drawn up by him in French and modified by Aberdeen in English, the essential part of which ran as follows,—italics representing the modifications:

"Lord Aberdeen expressed a wish to see Mexico acknowledge the independence of Texas. 'If Mexico,' he said, 'will concede this point, England (and I have reason to believe that France will join with her in this determination) will oppose the annexation of Texas and moreover *he would endeavour that* France and England will unite in guaranteeing not only the independence of Texas, but also the boundary of Mexico. On the other hand should Mexico persist in declining to recognize Texas, the intentions of England to prevent the annexation of that country to the United States might not be put in execution.' Upon my remarking that it was not at all probable the American Government would be willing to drop the annexation affair, even should the American Senate reject the Treaty for the present, Lord Aberdeen replied that *provided that England and France were perfectly agreed*, 'it would matter little to England whether the American Government should be willing to drop this question or not, and that, should it be necessary, she would go to the last extremity [jusqu' aux dernières extrémités] in support of her opposition to the annexation; but that for this purpose it was essential that Mexico be disposed to acknowledge the independence

<sup>13</sup> Pak., No. 16, March 28; No. 22, April 14, 1844. Dodson to Aberdeen, May 15, 1844: F. O., Texas, xi. To Pak., No. 21, May 18, 1844.

of Texas," because otherwise an agreement in policy between her and England would be impossible.

Such was the fully attested report of this interview. It indicated clearly that war with United States was contemplated, and Murphy was not only authorized but expected to place it before Santa Anna.<sup>14</sup>

A few days later a despatch was addressed to the British representative at Paris, and this was followed very shortly by one to Bankhead, accompanied by copies of the Murphy Memorandum and the despatch to Cowley. "You will therein see," wrote Aberdeen to his agent at Mexico, "that we have submitted a proposition to the French Government for a joint operation on the part of Great Britain and France in order to induce Mexico to acknowledge the independence of Texas, on a guarantee being jointly given by us that that independence shall be respected by other Nations, and that the Mexico-Texian boundary shall be secured from future encroachment. Should France assent to this proposal, we propose to send out forthwith a fit person to Texas, in the unavoidable absence of Captain Elliot," to ascertain whether on such a basis the people of that country would prefer independence to annexation, as it is believed they would. In case our impression on this point is found to be correct, "we shall then take measures forthwith for operating directly and officially upon the Mexican Government," which we hope to find "amenable to our views. . . . Should they, however, refuse their assent, or still demur to the acknowledgment of Texas, it will be for England and France to take such further measures for attaining the desired object as they may deem expedient,"—in other words, one may fairly understand His Lordship to mean, the purpose would not be abandoned.<sup>15</sup>

Aberdeen learned from Pakenham, soon after the annexation treaty was presented to the Senate, that "the whole strength of Mr. Clay's party" would be thrown against it, and no doubt he perceived that its rejection was thus ensured; but he felt surprised that Houston, after professing so earnestly to desire the maintenance of a national position, had suddenly taken up that project, and for this or some

<sup>14</sup> Memo.: F. O., Mexico, clxxx. The interview was on May 28 or 29. To Bank., No. 16, conf., June 3, 1844. It should be noted that the Memo. *without* the italicized words represents Aberdeen's ideas as Murphy understood them, and these words perhaps indicate merely the prudent reserve with which Aberdeen would naturally desire to speak to Mexico regarding the action of France.

<sup>15</sup> To Cowley, May 31, 1844. To Bank., No. 16, conf., June 3, 1844. Aberdeen intimated to Smith (Smith, No. 55, June 2, 1844) that England and France were prepared to use force upon Mexico.

other reason he showed considerable reserve in talking with Ashbel Smith, saying little for a time about his intentions or the moves of the powers, whereas Louis Philippe informed the Texan envoy plainly that France desired a joint and authoritative interposition of the two nations. On the first of June, however, Smith explained to him that public feeling had been too strong for the President, and said it was his own opinion that if Mexico would recognize his country and Spain would enable her to trade with Cuba by making a commercial treaty, her people might not care to join the United States. Partially reassured, Aberdeen intimated that perhaps the recognition could be brought about, but he still felt much anxiety regarding the attitude of Texas.<sup>16</sup>

Three weeks later, however, he laid aside his reserve, and announced that when the annexation treaty should have been rejected, England and France would be willing to unite with Texas, the United States and Mexico in a Diplomatic Act. This Act was to be equivalent to a perpetual treaty, securing to Texas recognition and peace, but preventing her from ever acquiring territory beyond the Rio Grande or joining the American Union. Mexico, he said, would be forced into acquiescence in case she should be unwilling to join, and it was not expected that the United States would take part. Later Ashbel Smith said of this plan: "The terms, effect and possible consequences to the several parties to it [including, of course, a possible war], were maturely considered, fully discussed and clearly understood between Lord Aberdeen and the minister of Texas." Both Louis Philippe and Guizot stated that France would join in the Act; and President Houston, on learning of the proposition, not only directed Jones verbally several times to accept it, but finally wrote to him with his own hand this order: "Let our representatives be instructed to complete the proposed arrangement for the settlement of our Mexican difficulties, as soon as possible—giving the necessary pledges [that Texas would never consent to join the United States, explains Jones in a note], as suggested in the late dispatch of Dr. Smith on this subject."<sup>17</sup>

<sup>16</sup> Pak., No. 36, April 28, 1844. Smith, No. 55, June 2, 1844.

<sup>17</sup> England and France dared make no move toward settling the Texan affair while the treaty was pending, lest it should become known and cause an inflamed public sentiment in the United States to insist upon the ratification of the treaty (Jones to Miller, May 3, 1844: Miller Pap.). Smith, Nos. 55, 57, June 2, 24, 1844. Id., *Remin.*, 61, 62. The Act contemplated war not only with Mexico but with the United States, for a demand to bring Texas by force into the Union would certainly have arisen here, and it would have been incumbent upon England and France to protect her independence against us if force were

Now it is quite certain that Great Britain desired to be on friendly terms with this country. As far back as 1828 her minister in Mexico had been expressly notified of this wish, and ordered to "entirely abstain from professing or inculcating a hostile feeling" toward us. In 1836, while Mexico was extremely angry with her neighbor on the north, care was taken by the British minister at that post, under instructions from his government, to avoid encouraging the idea that any aid against us could be expected from England, or that she "might be induced from a feeling of good will towards Mexico to take any step of a nature to give umbrage to the Government of the United States"; and in June, 1842, referring to rumors that Great Britain was encouraging Mexico, Pakenham wrote that "So far from acting in a sense so little likely to be approved by Her Majesty's Government," he had urged the Mexican authorities to satisfy our just demands.<sup>18</sup>

In fact, England could not afford to fight this country, and she knew it. The amount of her capital engaged in commerce with the United States was described by Aberdeen himself as "vast." The value of British exports to the American market can be seen from the fact that three years later, according to Lord Bentinck, twenty out of the twenty-eight million dollars of the United States customs revenue were derived from British goods; while an article in the *New York Journal of Commerce* showed that England purchased \$16,000,000 worth of our products more than we received from her. Moreover, said the *London Mercantile Journal* in 1844, the only American import that England could do without was to-

used. Note what Pakenham and Pageot said (paragraph 23) about the action that would be taken by the United States in case England and France should undertake to ensure the independence of Texas. (Verbally) Jones, Memor., 43. Houston to Jones, Sept. 23, 1844: *Niles.*, lxxiv., 413. Jones (Memor., 59) says that under the Diplomatic Act France would have been willing to fight in order to prevent annexation. By July 19, Calhoun received information, in which he placed the most implicit confidence, that England, aided (it was said) by France, intended to force Mexico to recognize Texas on the condition that Texas would remain independent (Lewis to Jackson, July 19, 1844: Jackson Pap., Knoxville Coll.). How Houston reconciled his order with his hopes of Texan expansion is a mystery. Possibly, feeling that he had better make sure of the essential, he decided to sacrifice those hopes; but more probably he had some scheme in mind. It is noticeable that whereas England and France intended to prevent Texas from either joining the U. S. or crossing the Rio Grande, his order contemplated (according to Jones) only the first of these limitations. The order as printed mentions Smith and Daingerfield as the Texas representatives, but the names may have been inserted by Jones as explanatory.

<sup>18</sup> To Pak., April 21, 1828. *E. g.*, Pak., No. 42, May 27, 1836; No. 49, June 2, 1842.



bacco, and the others amounted to almost \$65,000,000. According to that authority, the United States took about \$4,000,000 in cotton manufactures alone, and nearly \$6,000,000 in woolens. The London *Economist* well described the two countries as commercial complements. Now not only would England lose her trade with us during the period of conflict but, as *Le Correspondant* of Paris remarked, we should be stimulated meanwhile to set up manufacturing establishments of our own, and British mill-owners and merchants, ruined by the suspension of their trade, would be likely to cross the sea and conduct their business here. Early in 1844 the Liverpool *Mercury* declared that a war with the United States, even if successful, "would be a calamity of a most fatal description." In March, 1845, when the danger of trouble over the Oregon question seemed real, the unsentimental *Economist* drew a most vivid and startling picture of the harm that would result; and all of these considerations were equally forcible a little earlier. Moreover, an income tax to meet the deficit in revenue was already necessary.<sup>19</sup>

England was hampered also by the complications of her foreign policy in India, China, Africa and Oceanica, and she was even more embarrassed by the condition of Ireland. In May, 1845, the London *Examiner* said, "The popular press [of that country] teems with the worst sort of treason; . . . a treason ready to league with any foreign foe." The same month Peel himself intimated in Parliament that in case of a conflict with the United States the Irish might cause serious difficulties; and the London *Atlas* remarked that some of their journals contemplated, "with a sort of savage satisfaction, not only the prospect of a war, but the probability of Ireland's uniting with the enemies" of Great Britain. Trouble was scented from another source also. The *Atlas* admitted that "the republicans of Canada" plainly indicated "an intention of throwing overboard their allegiance whenever an army of 50,000 repealers [of the union between Ireland and England] should choose to cross the Canadian borders." Moreover the continent was at this time a smouldering volcano preparing for the eruptions of 1848; and the United States consul at Bremen wrote to Calhoun that the Rothschilds would not permit any European power to go to war in

<sup>19</sup> To Elliot, No. 10, July 3, 1845. (Bentinck) London *Times*, Nov. 25, 1847. N. Y. *Journ. Com.: Britannia*, Oct. 19, 1844. *Mercantile Journ.*, Aug. 26, 1844. *Economist*, Sept. 13, 1845. *Le Correspondant*, Jan. 1, 1846. *Mercury: Nat. Intell.*, May 9, 1844. *Economist*, March 28, 1845.

America, since the consequence would be a series of revolutions near home.<sup>20</sup>

Still further, it would have been absurd to fight the United States on the Texas question, when England was pursuing a course of high-handed aggression abroad. In April, 1844, the *Atlas* protested against the policy of the government as follows:

“It is somewhat far-fetched to ground our operations [against Gwalior] upon an old treaty for the maintenance of a prince, because his regent was obnoxious to us, when that very prince, and his whole army and people, not only declined the assistance of their *soi-disant* allies, but opposed them with their whole force. It is, in fact, the history of all our Indian aggressions. We first enter into a treaty for the support of some particular family or dynasty, in the full certainty that, amidst the intrigues and revolutions which occur in oriental despotisms, we shall be called upon to interfere, and then we claim the whole heritage for ourselves.”

What looked yet worse, England had recently laid herself open to the charge of forcing opium upon the Chinese at the point of her sword. For a power conducting such operations to proclaim that the United States could not absorb a small independent nation quite willing to join us would have been laughable,—if not, as *Le Constitutionnel* termed it, mad. Yet it is perfectly clear that Great Britain was so anxious to prevent annexation that she stood ready, if supported as her minister indicated, to undertake a war in order to establish at the Sabine a perpetual barrier against us. That such was the meaning of the Murphy Memorandum and also of the Diplomatic Act is already evident enough, and the close concert between the two powers makes the French government a full accessory in this design; but, as if to place the matter beyond question, the British representative in Mexico was instructed in December, 1844, to inform Santa Anna's cabinet that its course would “paralyse the exertions by which Great Britain and France were prepared to uphold the Independence of Texas against the encroachments of the United States, even at the risk of a collision with that Power.”<sup>21</sup>

The Diplomatic Act, however, although the French ambassador had full authority to sign it and everything could have been completed at one sitting, never was passed. When Anson Jones received

<sup>20</sup> *Examiner*, May 17, 1845. (Peel) *London Times*, May 5, 1845. *Atlas*, Sept. 2, 1844; Jan. 4, 1845. Mann to Calhoun, Oct. 31, 1844; Jameson, Calhoun Corr., 982.

<sup>21</sup> *Atlas*, April 6, 1844. *Le Const.*, July 25, 1845. To Bank., No. 49, Dec. 31, 1844. For meaning of the Act see note 17.

written instructions to conclude it, he was already President-elect of the republic; and instead of obeying he sent the representative of Texas in France and England leave of absence to return home. Smith, who was quite friendly to Jones, fully believed that he did this because he thought the project of annexation had been killed or indefinitely postponed, and wished to reserve for his own administration the glory of making peace; and when Smith reached home Jones complacently said to him, "The negotiation shall take place here, and you as Secretary of State shall conduct it for Texas." Before anything was accomplished, however, the time for this measure had entirely passed.<sup>22</sup>

No better fared the rest of the programme. The same documents were sent to Pakenham as to Bankhead, and that minister promptly conferred again with Pageot. Little discussion was necessary, and on the twenty-seventh of June Pakenham replied to Aberdeen substantially as follows: The rejection of the late treaty does not settle the question of annexation, and the Presidential election will turn upon it. Should Clay be successful, the project would not be abandoned; but "there would at least be a prospect of its being discussed with the calmness and dignity required by its importance, and by the interest which other Powers are justly entitled to take in it." For this reason England and France should avoid doing anything that would injure Clay's chances, and the plan in view "should not be known in this Country until after the Election." He urged further that any arrangement adopted for such a purpose should allow the United States to be really a party to it; and he

<sup>22</sup> Smith, *Remin.*, 62-65. Jones's explanation was somewhat different (*Memor.*, 43, 57, 44, 55, 56). He said that, by an understanding with the President, he had been already vested with "the actual discharge of the Executive functions" (the accuracy of which assertion is directly disproved by the fact that Houston gave him this order) and that obedience would have meant war. But as he stated that annexation itself would have meant war, had France lived up to her agreements, and asserted that he was the architect of annexation, his action does not seem to have been due to fear of a conflict between England and the United States. In another passage of his *Memoranda* he intimated that obedience to the order might have defeated or delayed annexation and he would have suffered blame in consequence; but in view of his course, as it will appear in the next chapter, to say nothing of other aspects of it, this explanation appears entirely unsatisfactory. In still another place in his book he says, "I felt at liberty to *suspend* the execution of the order." This corresponds quite well with Ashbel Smith's very credible explanation, and is doubtless the truth. Jones's inaction *per se*, however, would probably not have prevented England and France from pursuing their policy. He himself has said that all they wanted was a pretext for interference, and that they would not have cared whether the people of Texas approved of the Diplomatic Act or not; and if England was ready to coerce Mexico, whose good-will it was highly important to retain, it does not seem likely that the Texas Secretary of State could have barred the way.

warned his government that if their plan were executed, "that is to say, if England and France should unite in determining to secure the independence of Texas without the consent and concurrence of this Country previously obtained," that determination would probably be met by the immediate annexation and occupation of Texas, "leaving it to the guaranteeing Powers to carry out the objects of the agreement as best they might"; while should either England or France undertake to put the scheme through alone, "the announcement of such an intention would be met here by measures of the most extreme resistance." In the same sense wrote Pageot to the government of France.<sup>23</sup>

England for her part felt the strength of this plea for delay; and on the eighteenth of July Aberdeen informed Cowley that Pakenham's despatch furnished "much ground for serious reflection," and that in view of it England was disposed "to defer, at all events until a more fitting season," the execution of the projected measure. This in all probability, however, did not mean that it had at once been decided, upon hearing from Washington, to abandon a plan so carefully weighed and repeatedly announced. No substantial evidence of such a decision has been found; there was no occasion to determine at this time upon anything more than postponement; and it is practically impossible to believe that the British government, after deliberately adopting a policy that manifestly contemplated the chance of war and after officially stating that it mattered little what the United States might do so long as French support could be reckoned upon, would turn tail at the very first intimation of trouble with this country, and decide to leave the field before knowing what their ally would choose to do. Such ministers could neither demand respect nor respect themselves. "Reflection" was proper in such a case; postponement until after the American election was evidently expedient; and naturally England wished in particular to see how far she would be able to rely upon her associate after that power should have considered fully the advices from Washington.<sup>24</sup>

Nor can any evidence be discovered that France resolved at once to retire. For her also there was really no occasion as yet to make such a decision. A pause was suggested by the circumstances and

<sup>23</sup> To Pak., No. 24, June 3, 1844. Pak., No. 76, June 27, 1844.

<sup>24</sup> To Cowley, No. 202, July 18, 1844. From Aberdeen's language it would seem likely that the idea of a longer postponement occurred to him but was laid aside; but his phraseology may have been used merely to avoid all appearance of applying pressure to France.

recommended by her ally. She therefore replied that she too thought it would be well to make no move until after the close of our Presidential campaign, and then her chargé in Texas was directed to employ all suitable arguments against the sacrifice of nationality. It is likely enough, however, that Guizot now began to think more seriously than before of the policy proposed by England.<sup>25</sup>

When the course of the French cabinet in this matter finally came into public view, the outcry against it was furious. In the Chamber of Deputies its action was denounced by the eloquent Berryer as an undignified intrigue. Bad faith towards the United States was charged. How can America trust us? demanded *Le Constitutionnel*. It was entirely wrong, said many, to turn against an ancient comrade and valuable customer without the strongest of reasons. Not only was the American Union an ally and friend, but the mere existence of that republic, said Thiers, had prevented the nations of Europe from pointing to France as the only representative of the principles of the revolution; and the development of the United States, causing England anxiety, had compelled her to treat France with more consideration than formerly. It was pronounced a fatal policy to alienate or weaken a people whose aid might any day be needed against Great Britain. "The United States are perhaps the only nation in the world besides France for which I desire greatness," exclaimed Thiers in the Chamber of Deputies with this last point in view.<sup>26</sup>

Above all, the government were attacked on the ground that Guizot, "the man of England," was not only sacrificing the true interests of his country but promoting those of her ancient enemy. Texas must be either American or English, it was argued. The preponderance that France has to fear is a preponderance on the ocean, not on the continent of America, said Billault in the Chamber. Balance of power indeed! exclaimed *La Revue Independante*; England already has half the world, and must we help her to maintain that sort of equilibrium? It is better for us, argued Thiers, that the small states belong to the American Union, for if they remain independent, fear of England will turn them against us. Our trade with Texas, it was suggested, never can be large so long as her growth is checked by Mexican raids; but that country, if incorporated in the United States, would develop as Louisiana has done, and France

<sup>25</sup> Cowley, July 22, 1844. To Saligny, Aug. 1, 1844: *Le Const.*, Jan. 12, 1846.

<sup>26</sup> (Berryer, Thiers, Billault): *Débats*, Jan. 21-23, 31, 1846. *Le Const.*, Jan. 31, 1846. Jollivet, *Nouveaux Docs. Amér.*, 9.

would have her share of the business. "Touching self-abnegation!" sneered the sarcastic; we offend a traditional ally and labor for a traditional foe. Besides, answered the cautious, England is in such a situation at present that she could not fight; and if we allow her to get us into trouble, we may get out of it as best we can.<sup>27</sup>

Guizot has well been described as largely a man of the closet. He was not very near to the people; but he and his associates were far too shrewd not to foresee all these complaints and charges, when it was found that England and France could not carry the affair through high-handedly without serious opposition. Moreover these ideas, soon to be trumpeted in the newspapers and the tribune, were no doubt already circulating, in the summer of 1844, among the keen and well-informed public men of the country, and probably whisperings had begun to reach him. In fact some expressions of opinion had already been published. During May a writer in *Le Constitutionnel* declared, "the Americans could not without madness allow Texas to become an independent and rival state." At about the same time *Le National* maintained that the struggle in that country was one between Great Britain and the United States. England, though she endeavors to put "a moral sign on the shop door" by raising the slavery question, is trying to injure the United States and increase her own power in the Gulf of Mexico, said *Le Correspondant*. We are told that Guizot has protested against the annexation of Texas, remarked *Le Constitutionnel*, and this does not surprise us: "It is much more in line with the policy of England than with that of France." It is unfortunate for us to be tied to the English cabinet, protested *Le National* about the middle of May. Even the *Journal des Débats*, commonly regarded as an administration paper, felt compelled to say about the first of June: "We believe that France has no occasion to occupy herself with the annexation of Texas to the North American confederation." According to Wilmer and Smith's *European Times*, the agitation over the affair had now created a marked sensation at Paris, and had revived the talk of making common cause with the United States against England in order to throw off the insulting yoke of British supremacy.<sup>28</sup>

Louis Philippe and Guizot must have begun to understand that

<sup>27</sup> *Le Nat.*, May 27, 1844. *Le Const.*, June 13, 1845. *Débats*, Jan. 21-23, 1846. *Revue Indépendante*, Jan. 25, 1846. Lettre d'un Citoyen de New York, 20-21. *Le Const.*, June 13, 1845. *Le Correspondant*, Jan. 1, 1846.

<sup>28</sup> King, No. 9, Dec. 31, 1844. *Le Const.*, May 26, 1844. *Le Nat.*, May 20, 16, 1844. *Le Correspondant*, June, 1844. *Débats: N. Orl. Courier*, June 28, 1844. *European Times*, June 4, 1844.

the consent of Parliament and the country to an Anglo-French war against the United States could not easily be obtained. "Every attempt to enlist France in a diplomatic—still more in an armed—resistance to the views of North America would meet death before the invincible repugnance of the country and the Chamber," declared *La Revue de Paris* a few months later, and this was already becoming probable if not certain. Guizot will blunder if he dare to transform his diplomatic hostility against the United States into real hostility, for the country would not follow him, was a warning from *La Revue Independante* that could easily be foreseen. Public opinion renders Guizot's position weak on account of his English proclivities, reported the American minister at Paris in December, 1844; and to a large extent the head of the cabinet must have understood this much earlier. Besides, the feeling of the nation towards Mexico was by no means cordial. Neither the causes, the events nor the unsatisfactory ending of the recent war had yet been forgotten. A little later Thiers remarked that France owed less deference to that republic than to any other American state. In June, 1844, *Le Siècle* of Paris said, "We wish Texas to be independent . . . as a counterpoise or curb for Mexico." "The annexation of Texas presents the double advantage of augmenting the power of the United States, our natural allies beyond the Atlantic," observed *La Revue de Paris*, "and of dealing a hard blow at that sad government of Mexico, against which we have so many grounds of complaint."<sup>29</sup>

Meantime King, the American representative, had not been idle. Early in July he dined with Louis Philippe; and after dinner, bringing up the subject of Texas in a familiar conversation, His Majesty asked why the annexation treaty had been rejected. This afforded an opening, and the minister made all he could of it. He expressed his firm belief that a decided majority of the Americans favored the measure; that although temporarily defeated on account of "political considerations of a domestic nature," it "would certainly be consummated at no distant period"; and that the interests of France, being purely commercial and quite distinct from those of England, would actually be promoted by such an arrangement; upon which the King, while frankly admitting his desire to see the young republic remain independent, assured his guest that France "would not proceed to the extent of acts hostile or unfriendly to the United States in reference to the Texas question." Probably, however, the assur-

<sup>29</sup> *Revue de Paris*, Feb. 15, 1845. *Revue Independante*, Jan. 25, 1846. King, No. 9, Dec. 31, 1844. (Thiers) *Débats*, Jan. 21, 1846. *Le Siècle*, June 14, 1844.

ance thus reported by the American minister was couched in diplomatic as well as gracious terms, and was expressed in a language which he cannot have used much, if at all, for nearly thirty years; and in view of the concert with England it must be supposed that he was unduly impressed by its apparent cordiality. In real truth it can have indicated nothing more than a politic desire to avoid as far as possible offending the United States. The minister's representations, on the other hand, seem to have been full and explicit. They were probably the earliest information the French government obtained with reference to the depth of feeling on the subject that prevailed in some parts, at least, of this country; and when reinforced soon after by Pageot's and Pakenham's expostulations, they must have appeared well worthy of attention.<sup>30</sup>

King then proceeded to discuss the matter with Guizot, telling him that intimations of a contemplated joint protest against the annexation of Texas had been received from a source that could not wholly be disregarded. Guizot replied "with considerable animation if not some impatience" that no such step had been taken; that France had acted in this matter for herself; that her interests, being purely commercial, differed from those of England; and that the rejection of the treaty had now banished the subject. King replied that he was gratified by Guizot's assurances; that a movement such as that erroneously imputed to France would have impaired seriously the friendly, indeed almost affectionate, feelings entertained for her by the American people; that the United States would view with great distrust any proceeding calculated to place their weak neighbor under foreign and particularly under British influence; that Texas must be absorbed in order to guard against the danger of England's controlling her; that a conviction of this necessity, though more general in the Democratic party, pervaded a large majority of the American people; and that consequently the project of annexation was by no means dead. Just how much effect these representations had, it is of course impossible to say; but Ashbel Smith, who was well qualified and well situated to form an opinion, believed that King satisfied Guizot as to the umbrage that his proposed course would give in the United States.<sup>31</sup>

Calhoun also endeavored to influence the French government.

<sup>30</sup> King, No. 1, July 13, 1844. In early life King was secretary of legation at St. Petersburg.

<sup>31</sup> King, No. 2, July 31, 1844. The interview took place on July 20. Smith to Jones, Dec. 24, 1844: Jones, Memor., 411.



About the first of September King received a despatch in which, after straining Louis Philippe's cordial assurances to the greatest possible extent and there nailing them with pointed marks of appreciation, the Secretary went on, in what the London *Times* called a magazine article, to argue substantially as follows: It is not for the real interests of France, England or even Mexico to oppose annexation if peace, the extension of commerce, and security "are objects of primary policy with them." The United States and Texas are destined at some day to become one nation, and it is for the general good that this union take place by common consent. Opposition would "not improbably" lead to a war between the United States and Mexico; or, should another power temporarily prevent annexation and an outbreak of hostilities, our people would feel deep resentment, and "be ready to seize the first favorable opportunity to effect" the design "by force." Meanwhile the general peace would be insecure, and Texas, uncertain what to do or expect, would languish. France as well as England desires that country to be independent for commercial reasons; but England hopes also that slavery may be abolished there and, as a consequence, in the United States, and to this scheme the interests of the continental European powers are opposed. The experiment of emancipation has proved enormously costly and disastrous to Great Britain, while the nations that have avoided her example have increased in wealth and power. Therefore she wishes to recover her lost position by destroying or crippling the productivity of her rivals, and now seeks to reach her end by uprooting slavery in America. This would give her a monopoly of tropical commodities, for not only would the output of the United States, Cuba and Brazil decrease like that of Jamaica, but there would be a race war as in San Domingo,—a war that would involve the Indian as well as the negro, "and make the whole one scene of blood and devastation." Is it not better for the continent of Europe, then, to obtain tropical productions at a low price from the American nations, than to be dependent for them upon "one great monopolizing Power" and pay a high price? And is it not for their interest to develop new regions that will become profitable markets for their goods, rather than to buy from old and distant countries, whose population has reached its limit? Here again it is impossible to calculate how much effect was produced. But there must have been some, for the ideas were forcible; and even if the administration rejected their logic, it could easily be seen that their

influence on public sentiment, should they be urged by the opposition, was likely to be considerable.<sup>32</sup>

Louis Philippe's general preference was to avoid war. He was a "prudent" monarch, as our minister observed, "and ever solicitous to maintain peace and good will, both for his own sake, and that of France." His avowed policy was described by King as "peace, and non-intervention as the best means of securing peace." Early in November he dwelt upon these, his favorite themes, in an interview with the American minister, expressing opinions and sentiments, "which though not uttered with reference to the United States, Mexico and Texas, were strikingly applicable to the existing relations of the three republics." Recent difficulties between the government of Mexico and the French representative in that country probably had some effect in the same direction, and both domestic uncertainties and the embarrassments growing out of the Algiers and Morocco questions assisted. There were thus a number of deterrent influences at work upon the French cabinet; and accordingly it showed signs of backwardness during the autumn in the matter of co-operating decisively with England.<sup>33</sup>

The British administration could not fail to be influenced by this lukewarm disposition, since its policy leaned avowedly on the attitude of France. The New York correspondent of the *London Times* reported that the Locofocos actually desired a war with England, which naturally added to the gravity of the situation; and then Santa Anna adopted a course that had no little effect. In order to score a point against the Mexican Congress he talked openly about Murphy's conversation with Lord Aberdeen, and instead of favoring the recognition of Texas he represented His Lordship's remarks as evidence that England would assist him to reconquer that country. Bankhead regarded this conduct as showing a "total want of good faith," and protested against the President's announced purpose of laying Murphy's Memorandum before the Congress; and his course in so doing was approved by his government. On the twenty-third of October, therefore, Aberdeen instructed him to inform Mexico that since she would not consent to recognize Texas, the proposed concert between England and France "as set forth in the Memorandum" fell to the ground. Great Britain still urged that the

<sup>32</sup> *Times: Revue de Paris*, Jan. 9, 1845. To King, No. 14, Aug. 12, 1844: Sen. Doc. 1, 28 Cong., 2 sess., 39.

<sup>33</sup> King, No. 1, July 13; No. 4, Oct. 6; No. 6, Nov. 15, 1844. (Backwardness) Smith to Jones, Dec. 24, 1844: Jones, Memor., 411.

annexation of Texas to the United States would be "an evil of the greatest magnitude" to the mother-country, and that it could only be avoided by immediately recognizing the young republic; but the despatch was a formal notice that England no longer held herself under any obligation to Mexico to help avert the evil at the risk of a collision with the United States. This did not signify by any means, however, that her own interests or her engagements elsewhere might not cause her to pursue much the same course as that outlined in the Memorandum, and there is no evidence that she had yet abandoned this policy; but the exasperating conduct of Mexico, the failure of Texas thus far to accept the proposed Diplomatic Act, and still more the lukewarmness exhibited on the other side of the Channel doubtless undermined her resolution, and caused her to show, as Ashbel Smith reported, a certain backwardness herself.<sup>34</sup>

<sup>34</sup> Smith to Jones, Dec. 24, 1844; Jones, Memor., 411. *London Times*, Oct. 17, 1844. Bank., No. 66, Aug. 29, 1844. To Bank., No. 34, Oct. 23, 1844. The despatch of Oct. 23 has been cited as "definite proof of English withdrawal from the project of joint action before the English government had any direct refusal from France to go on with that action"; but the two powers did in fact maintain their joint action in this matter so long as any hope of preventing annexation remained (see Chapter xxi.). Probably, however, what the author of this passage had in mind was the project of acting jointly in the particular manner contemplated in June, 1844; but even this view does not seem correct. 1. England could not fairly and honorably withdraw from a plan of joint action with France by sending a note to Mexico, and at this time she was peculiarly anxious to have the confidence and good-will of France. 2. Had England decided upon a new policy, notice of it would almost certainly have been given to Pakenham and Elliot as in other instances. 3. The proposition of the Diplomatic Act, which involved joint action with France on a basis really as positive as did the Murphy Memorandum, was not now cancelled by England as according to this theory it should have been. 4. In his No. 1, May 17, 1845, Smith reported to his government from London that Aberdeen had informed Terrell (who had arrived in that city on Jan. 12, 1845, and was still there) that the British government were even then "willing on their part to enter into a Diplomatic Act embracing the stipulations and guarantees as set forth in the accounts of my interviews with Ld Aberdeen last year, particularly that of the 24th June (I believe), but that the French Government were unwilling to enter into such obligations or to employ any other than *moral* means towards Mexico" (Tex. Dipl. Corr., ii., 1196). This appears virtually to prove that the despatch of Oct. 23, 1844, did not indicate an intention or even a desire to withdraw from the action in concert with France that had been proposed in June. 5. After France declined to incur the risk of war with United States, the British government took four weeks to formulate a new and pacific programme, whereas on the theory discussed they would have been ready and eager to announce such a policy at once. 6. The despatch of Oct. 23 can be explained satisfactorily without encountering these difficulties: (a) England had a plan (Murphy Memorandum) for joint action with France in co-operation with Mexico, and also a plan (Diplomatic Act) for joint action with France and (if necessary) the coercion of Mexico. The former was the only one of which Mexico knew, and therefore the despatch of Oct. 23, intended for Mexico, should be understood as referring to it. Indeed that despatch said that "the proposition set forth in the Memorandum . . . was based entirely on the assumed recognition by Mexico of the independence of Texas," and also that

November 25 the result of the American election was announced by the London newspapers, and the time for England and France to prosecute or to abandon their plan had arrived. About a week later, at an interview with Aberdeen, Smith found the minister counting on Guizot for no decisive action against the United States and, as was inevitable in that situation, unwilling to give a just ground of offence to this country. That very day His Lordship's misgivings were fully justified. In a talk with Cowley the minister of Louis Philippe remarked, as Calhoun and King had urged, that the annexation affair concerned Great Britain more than it did France.

"As both Governments have recognised Texas," answered the British ambassador, "you would no doubt join with England in negotiations to secure recognition from Mexico."

"Undoubtedly" answered Guizot, "we will use our best efforts for that purpose, and will even refuse to recognise the annexation of Texas to the United States; but, as a Question of Peace or War, I am not prepared to say that its junction with the American States is of sufficient importance to us to justify us in having recourse to arms in order to prevent it." This was obviously a diplomatic but distinct negative.<sup>35</sup>

The British government then pondered anew on the subject, and at length after four weeks of deliberation they informed Elliot what was now their policy. "It is," wrote Aberdeen, "to urge Mexico by every available argument, and in every practicable manner, to recognise without delay the Independence of Texas, as the only rational course to be taken for securing the real Interests of Mexico, to which Country the annexation of Texas to the United States would be ruinous." At the same time a strong desire was manifested by His Lordship to avoid exciting public sentiment in this country. A passive course, "or rather a course of observation," was therefore dictated as under the existing circumstances the most prudent policy;

it was the proposed concert between Great Britain and France "as set forth in the Memorandum" which fell to the ground. Evidently an announcement of the failure of the first plan did not abolish the second, and it should be recalled that the Memorandum itself, instead of saying that in case Mexico would not consent to recognize Texas the plans of England to oppose annexation *would not* be carried out, only said "might not." (b) Aberdeen may very reasonably have believed that such an announcement as that of Oct. 23 was the best way to bring Santa Anna to the point of recognizing Texas, and it may have been made for that purpose. (c) It seemed quite clear that Santa Anna was trying to play fast and loose with England, and the despatch of Oct. 23 was a proper move to stop his game. (d) Under the wording of the Memorandum, self-respect demanded of England such a move. See also Terrell: *Tex. Dipl. Corr.*, ii., 1172.

<sup>35</sup> Smith, Dec. 24: note 34. Cowley, No. 568, Dec. 2, 1844.

and Elliot was directly forbidden to involve his government in any active campaign.<sup>86</sup>

Near the close of the year 1844, among the papers accompanying Tyler's annual Message,<sup>86</sup> was published Calhoun's despatch to King which has already been cited, and in due course the document appeared in Europe. There it made a sensation,—“quite a sensation,” reported the minister,—for Calhoun said that our Executive particularly appreciated “the declaration of the King, that, in no event would any steps be taken by his Government in the slightest degree hostile, or which would give to the United States just cause of complaint.” This, as we have learned, was a liberal exaggeration of Louis Philippe's friendliness, yet—as Calhoun doubtless foresaw—the language imputed to him could not be disavowed. Not only was public sentiment in France very warm towards the United States and far from cordial towards Great Britain, but the election of officers in the Chamber of Deputies had lately revealed a serious break in the administration's forces; its majorities there were small and fluctuating; its fate was uncertain; and nearly all of the charges brought against it amounted to the one heinous offence of subsereny to England.<sup>87</sup>

The London *Times*, though it demanded with the utmost emphasis to be informed “categorically” whether France had been giving such assurances to the United States while “affecting” to join with England, was therefore unable to extort a reply. Terrell, now the representative of Texas, concluded that France was entirely indifferent to the fate of his country; and although the French ambassador soon made known to Aberdeen a despatch from Guizot which described Calhoun's remarks as misleading and expressed a willingness to unite with England, as had been proposed, in securing the recognition of Texas and guaranteeing her against molestation on the side of Mexico, it was not easy to feel perfectly satisfied as to the attitude of His Majesty's government. In short, while Calhoun's clever—even sharp—course did not destroy the concert of the powers, it evidently had some effect in rendering that concert less harmonious and less reliable. At the same time the publication of the despatch revealed very clearly to Aberdeen, as he admitted, the jealousy of the American annexationists against all foreign interference, and the

<sup>86</sup> To Elliot, No. 13, Dec. 31, 1844. To Bank., No. 49, Dec. 31, 1844. Pakenham and Bankhead also were instructed. Naturally Aberdeen tried to make it appear that no change in British policy had occurred.

<sup>87</sup> To King, No. 14, Aug. 12, 1844: Sen. Doc. 1, 28 Cong., 2 sess., 39. King, No. 10, Jan. 29, 1845.

danger that any occurrence justifying that state of mind would precipitate the United States into "active measures." In particular, he concluded, a war with Mexico almost necessarily involving the destruction of Texan independence might very easily be kindled; and the importance of extreme caution was brought forcibly home to his mind.<sup>38</sup>

Up to this time, owing to the peculiar situation already explained, neither an acceptance nor a rejection of the Diplomatic Act had been received from Texas; and that idea, to be embodied in some plan consistent with the now pacific attitude of the two powers, had continued to be entertained by them. Quite soon, however, after assuring England that she was still ready for joint action, France found an opportunity to eliminate that project also. This was in consequence of something which occurred in Mexico. All through the summer and early autumn Santa Anna had continued to talk of war against the Texans; but, soon after November came in, a revolution in the great State of Jalisco produced a change in his language. General Wavell, an Englishman in the Mexican service, had believed all along that he desired to get rid of the Texas difficulty; for some time fear of the designs of the United States had made him uneasy; and now, in the revolutionary conflict forced upon him, he was naturally anxious to have the political support of Great Britain and the financial assistance of the British capitalists doing business in the country. Accordingly his minister, Rejón, stated that Mexico would listen to any propositions coming from England and France with reference to the recognition of Texas; and finally at the end of November Santa Anna definitely proposed to acknowledge the independence of that nation on the basis of an indemnity, a boundary at the Colorado, and a guaranty of the northern frontier of Mexico from England and France. Apparently a step had now been taken toward a solution of the problem, and France made haste to pronounce the Diplomatic Act no longer necessary.<sup>39</sup>

<sup>38</sup> *Times*, Jan. 2, 10, 1845. Terrell, Nos. 1, 2, Jan. 21, 27, 1845. To Elliot, No. 1, Jan. 23, 1845. Apparently Aberdeen took some step to soothe the United States, for about a month later Everett reported (private, Feb. 26, 1845) that, although the subject was not one on which it "could be expected" that he "should receive any official information," he had "good grounds for saying, that the annexation of Texas would not cause a breach of the existing relations between the United States and Great Britain." From the effect of Calhoun's despatch upon Aberdeen one can reasonably infer that it had had considerable influence at Paris.

<sup>39</sup> After Jones became President, he expressed to the British government through Elliot a desire to have the proposition of the Diplomatic Act put in his hands, "duly prepared for execution," to be submitted to the people at a

January 23, 1845, then, Aberdeen prepared new instructions for Elliot. On the one hand he pointed out the gravely delicate state of American public sentiment, and on the other he exhibited the proposition of Santa Anna. No doubt the Mexican terms are unacceptable in their present form, he admitted; but as a "first step" they are "of great importance and value," and of course Texas will avail herself of the good offices of England and France "with a view to the modification" of them. Despite Calhoun the concert of the two powers continues, in proof of which I hand you a copy of the new instructions, very similar to yours, forwarded to Saligny; and "under certain circumstances those Powers would not refuse to take part in an arrangement by which Texas and Mexico should be bound each to respect the Territory of the other"; though, after all, this is mainly an affair which concerns these two particular nations. To such modest terms was the opposition of England at length reduced. The effect of the concert had become a mere contingency, and in reference to the United States defensive instead of aggressive strategy was now in order, with care even "to avoid all unnecessary mention" of our government. The keenest anxiety to prevent the annexation of Texas, however, was still exhibited.<sup>40</sup>

In the afternoon of March 16 the steamer *New York* left New Orleans for Texas, carrying word that the American Congress had voted for annexation, and on the twentieth Galveston had the news. Four days later a British vessel of war brought Elliot the instructions that have just been described. He read them with the deepest interest and of course with the most earnest desire to carry out the wishes of his government. There was, however, a serious difficulty, for it seemed to him impossible even to mention what Santa Anna had proposed and Aberdeen recommended as a basis of negotiation. "Nothing," he replied to the Foreign Office, "that is so much mixed with securities and guarantees upon the part of the European Powers, Great Britain in particular, can be offered to this people with the least hope of success, and the knowledge of these proposals of Mexico at the present moment would be decisive against the possibility of maintaining the Independence of the Country. They would light up a flame from one end of the North American Confederacy

propitious moment (Elliot, No. 17, Dec. 21, 1844); but before this request reached London France had retired from that proposition. Bank., No. 65, Aug. 29; No. 94, Nov. 12, 1844. Wavell, Memoir on Texas, Nov., 1844: F. O., Texas, xi. (Un-easy) Bank, No. 52, July 31, 1844. Id., No. 93, Oct. 30; No. 102, Nov. 29, 1844. Terrell, No. 2, Jan. 27, 1845.

<sup>40</sup> To Elliot, No. 1, Jan. 23, 1845.

to the other." None the less, if Mexico would but acknowledge Texas on the sole condition of maintaining her nationality, Elliot still saw "little reason to doubt that this question might be speedily and securely adjusted."<sup>41</sup>

Saligny, as we have observed, spent most of his time at New Orleans, but he probably had received there somewhat earlier an urgent despatch from Guizot. While directing that as little as possible be said about the United States, the French government now ordered the chargé to exert himself with both the administration and the people of Texas against the project of annexation, as a measure unworthy of an independent nation. The representations of Calhoun regarding the attitude of France made it particularly necessary, he was instructed, to pursue an active policy, and the inclination of Santa Anna to consider the question of recognizing Texas was described as "a decisive reason" why that country should cling to her sovereignty. In concert with Elliot, Saligny was therefore directed to recommend this view, and to urge that "every thought of annexation" be renounced.<sup>42</sup>

On receiving these orders the chargé naturally sought his post, and he was now at Galveston. Elliot, whose policy it was to counteract the suspicion of British designs by associating closely with his French colleague in this business, soon took him into his counsels; and the next morning they set out for the Texan seat of government, where they were extremely anxious to arrive in advance of authoritative news from the United States. Donelson was liable to appear at any hour, and a copy of the official report of the passage of the annexation resolution was said to be on the way via Red River; but

<sup>41</sup> Arrangoiz, No. 52 (res.), March 17, 1845. Elliot, No. 14, March 22, 1845. The steamer should have reached Galveston on the 18th, and the *Picayune* of March 29 represented that she did; but Elliot and the Houston *Star* of March 23 give the date as March 20. As the *Star* says she brought New Orleans information of the 18th, she would seem to have been delayed near the city. Yell to Polk, March 26, 1845; Polk Pap. Elliot, secret, April 2, 1845. Jones (Memor., 66) said that the ministers of England and France, in feeling that the people (if Texas were recognized by Mexico) would decide for independence, were deceived by "their own over-sanguine hopes." Two points ought, however, to be noted. Jones and Allen, the highest officials of the nation, assured them and appeared to be convinced that such would be the case (*e. g.*, Elliot, No. 17, Dec. 21, 1844; Dec. 28, 1844, secret); and it was not very unreasonable to believe that—assisted by recognition, by an opportunity to obtain favorable commercial arrangements with England, by the efforts to bring the people over to the side of nationality which the government were ready to make (Elliot, No. 17, Dec. 21, 1844), and by the unsatisfactory terms offered by the United States—the strong though cautious minority might convert enough lukewarm annexationists to become the dominant party.

<sup>42</sup> (At New Orleans) *Journ. Com.: Newark Adv.*, April 30, 1845. To Saligny, Jan. 17, 1845: F. O., Texas, xxi.



the two envoys reached the capital first. They agreed that if Brown's plan had been adopted by the American Executive, the chief immediate danger lay in efforts to have Jones convene the Congress, especially since Elliot regarded the existing body as the least reliable he had yet seen in the country and already "deeply committed" for annexation; while they felt that if Benton's method had been chosen, the commission it contemplated, sitting in Texas with \$100,000 at its command, "would at once overwhelm the whole power and influence of the Constituted Authorities of the land." They decided, therefore, that "every effort consistent with the spirit" of their instructions ought to be exerted to prevent the government of Texas from assembling the Congress or entering upon any negotiations with a view to annexation, until England and France could have time to obtain recognition from Mexico or, failing in that aim, "provide for the emergency in an equally effectual manner" in Europe.<sup>43</sup>

Jones was away from home in the evening of the envoys' arrival, but they had a "full and frank" conversation with Ashbel Smith, now the Secretary of State, and the next morning, after reading their instructions to him and the President, they urged "every argument that presented itself" to them, "whether founded upon the honour and advantage of the Country, or upon the ruinous consequences of annexation, and the ambiguity and doubtful nature of the [American] resolutions." Elliot was regarded by Donelson, a person well able to gauge politicians and diplomats, as "a shrewd and cunning man," while Saligny was described as Napoleonic in appearance and "astute" in intellect; and it is evident from Elliot's report of the proceedings that both men were now very much in earnest. On the other side, Jones was in favor of independence and probably felt convinced, as he afterwards wrote in his book, that it would benefit the Texans to maintain a separate political existence. In February he had received word by a man just from Mexico that Herrera, the new President, was very favorably disposed toward peace. Furthermore, by taking the ground that the administration desired to continue the national career and that the people would do the same should the independence of the country be promptly acknowledged by Mexico, he had committed himself in a manner that Elliot and Saligny were fully able to take advantage of. As for Smith, he not only preferred independence but was regarded by the American chargé as a greater enemy to annexation than even the

<sup>43</sup> Elliot, No. 10, March 6; secret, April 2, 1845.

outspoken Terrell. He was a man of no little ability, as we have noted; and according to the Mexican consul at New Orleans he had a dominating influence over the Executive. The consul believed also that his ambition equalled his talents, and that he not only wished to be President, but felt that in the case of annexation his rôle would be comparatively undistinguished. Under such circumstances, even had Jones desired to stand up for that measure, it would have been extremely difficult to do so. He made no sign of such a preference, however. When the envoys argued for nationality he and Smith replied, "that so far as they were personally concerned it was unnecessary to insist upon these views," and the President declared that he was "sincerely desirous of maintaining the independence of the Country." At the same time he stimulated the envoys by remarking that he saw in himself only the agent of the people, and thought that unless Texas could speedily know she would be recognized on the condition of remaining a nation, "He should feel that it was in vain to resist the tide." As for a course of action he agreed perfectly with his visitors, desiring neither to assemble the Congress nor to have a United States commission sit in the country.<sup>44</sup>

Elliot and Saligny now formally invited the government to accept the good offices of England and France with a view to an early and honorable settlement with Mexico upon the basis of independence. Jones thereupon instructed the Secretary of State with corresponding formality to accept this intervention, and the following "Conditions preliminary to a treaty of peace" between the two countries were then drawn up: "1, Mexico consents to acknowledge the independence of Texas; 2, Texas engages that she will stipulate in the treaty not to annex herself or become subject to any country whatever; 3, Limits and other conditions to be matters of arrangement in the final treaty; 4, Texas to be willing to remit disputed points respecting territory and other matters to the arbitration of umpires." It was then proposed, evidently by the chargés, that the following agreement be made; 1, The signature and seal of a duly authorized Mexican minister are to be attached to the preliminary conditions of

<sup>44</sup> Elliot, secret, April 2, 1845. Don. to Calhoun, Jan. 30, 1845: Jameson, Calhoun Corr., 1023. (Saligny) Smith, Remin., 22; Foote, Remin., 50. Smith, Remin., 81, 82. Jones, Memor., 66. Jones, Letter: *Niles.*, Jan. 15, 1848, p. 308. Jones's best defence of his course is to be found in this letter; but it is too ingenious to be convincing, and there are too many facts against it. Don., No. 21, April 29, 1845. Arrangoiz, No. 55 (res.), March 24, 1845. Early in March Smith had proposed to Elliot that England guarantee to Mexico the abandonment by Texas of all annexation projects, which implied that he believed Texas would bind herself to that policy (Elliot, No. 10, March 6, 1845).

peace, and the government of Texas pledge themselves to issue forthwith, after this acceptance of them shall have been placed in the hands of the President, a proclamation announcing the conclusion of the preliminaries of peace with the republic of Mexico. 2, For a period of ninety days from the date of this Memorandum Texas "agrees not to accept any proposals, nor to enter into any negotiations to annex Herself to any other Country."<sup>45</sup>

At this, however, the President hesitated, for he perceived what Elliot described as "the serious responsibility" that he was desired to incur. During the twenty-eighth he consulted the cabinet twice, and once had the *chargés* present their views before it; but he was only a second-rate man with everything against him, and it was in vain to struggle. From conviction or policy he had represented that the people would choose independence if recognition could soon be obtained from the mother-country; and he could not logically, as their avowed agent, refuse to adopt the one possible course which might place this boon within their reach. At the pressing request of Jones and Saligny, Elliot very reluctantly consented to make a secret journey to Mexico with the utmost despatch, and explain to the British and French ministers there "the extreme difficulty of the President's situation, and the urgency of immediate promptitude, and exact conformity to the preliminary arrangement" submitted; and finally, on his promising this and on the personal assurance of the *chargés* that the Memorandum of the Conference would be made known only to the British and French representatives in Mexico and the United States and to their home governments, Jones accepted the plan on March 29.<sup>46</sup>

Three alternatives were kept in view, it would appear, in these negotiations. The first was to satisfy the people of Texas, by obtaining the assent of Mexico to the preliminary conditions, that peace with independence could be had. The second was to have the affair settled by the European governments with a representative of Texas beyond the Atlantic; and the third was to obtain such a formal declaration on the part of England and France to sustain Texan independence "and prevent further disturbance and complication from Mexico," as would "enable the friends of independence to

<sup>45</sup> Memo. of Conference; Conditions: F. O., Texas, xiii.

<sup>46</sup> Bancroft, Pac. States, xi., 386. Elliot, secret, April 2, 1845. It was distinctly understood at the conference that, should the Texans decide in favor of annexation, their government would be at liberty to execute their will (Jones, Memor., 475). Elliot was informed by Smith that none of the cabinet felt "any good will to the [American] resolutions."

defeat their opponents at the next election." What provision was made for the first and most desired of these alternatives has now been explained. The second and third of them required the presence in Europe of a Texan envoy fully competent and fully authorized for the business. Accordingly Elliot and Saligny urged that Ashbel Smith go there immediately with "full powers to conclude any arrangement which might seem to the Governments and himself to be necessary for the safety of the Country," and Jones cordially consented. Allen was therefore made Secretary of State, and Smith prepared to set off at once for his former post.<sup>47</sup>

Elliot intended to give out that he would sail in the *Electra* to meet his wife at Charleston, South Carolina, but really be landed at Vera Cruz and have the *Electra* reported there by another name; and in returning he proposed to disembark at a point in the United States where he would not be recognized, and gain New Orleans "in some unobserved manner." On reaching Galveston, however, he found that a British war vessel, the *Eurydice*, commanded by his

<sup>47</sup> Elliot, secret, April 2, 1845. Smith's appointment was asked "as a striking proof of the good dispositions" of the Texan government. All these facts, derived from Elliot's report, are a sufficiently clear indication of the character of Smith's mission; but that gentleman himself had something to say at the time about it. According to the editor of the principal newspaper of Houston, a place through which he doubtless passed on his way to Galveston, he was going to England "with the avowed object of conducting negotiations for the acknowledgment of our independence through British intervention." All the way on his journey from Washington to the coast, after the interviews with Elliot and Saligny, he loudly denounced the annexation resolution of the American Congress at the taverns on the road, it was said, and several of the most respectable men of the county were ready to declare, the editor stated, that his conversation revealed an uncompromising opposition to that resolution (*Houston Telegraph*, April 23, 1845). After he reached the port, Smith wrote to Jones representing the sentiment among the people as intensely strong in favor of annexation, and added that he did not suppose his going abroad would be desired "if likely to produce no beneficial results," which implies clearly that he had been sent to accomplish something against that project (Jones, *Memor.*, 446). Later, attempts were very naturally made to explain all this away. In an open letter dated August 7, 1845, Smith pronounced it "utterly false" that he went to Europe to concert measures with foreign governments to prevent annexation (F. O. Texas, xiv.); but this letter was intended to make the public believe he was not opposed to that measure, which was certainly not correct. In other words the letter cannot be regarded as wholly ingenuous. In his *Reminiscences* he says that Jones sent him to Europe to close the Texas legations there in a becoming manner; but in that case why did the state of public opinion in Texas make him doubtful whether his mission could prove beneficial? Jones, commenting in his book on Smith's letter from Galveston, explained that Smith did not understand his errand; but this is absurd. Smith seems to have had the clearest head in Texas; he was accustomed to deal with the foremost statesmen of Europe and had won their respect; Aberdeen described him as "a man of excellent capacity"; as Secretary of State he was in conference with Elliot and Saligny on three successive days; and he had opportunities to confer with Saligny at will, it is probable, all the way to Galveston, since the two men sailed together for New Orleans (*Memphis Eagle*, April 23, 1845). Jones's explanation is manifestly a pretence.

cousin, George Elliot, had arrived at that port. Writing to Jones that a despatch from Bankhead represented the Mexican government as still ready to negotiate, he went aboard the *Electra*, was transferred to the *Eurydice* out of sight of land, and then sailed away for Vera Cruz. Saligny, meanwhile, after writing from Galveston to the President, "Be cheerful and firm at Washington, and my word for it, everything will soon come out right," sped away for New York City in such haste that when the steamer stopped for wood a few miles below New Orleans, he sprang ashore, it was reported, obtained a horse, and rode on. It was surmised that his purpose was to communicate with Paris in the quickest possible manner, and this appears to be the rational explanation of his course. Ashbel Smith—reluctantly in view of the exhibitions of Texan public opinion observed on his way to the coast—proceeded on his mission; and Jones and Allen remained at the capital to hold the gate.<sup>48</sup>

In short, then, it appears that Great Britain was so anxious to prevent the annexation of Texas that she stood ready, if supported by France, to coerce Mexico and fight the United States; that the French government were at first no less willing than England to agree upon decisive measures; that the determination of the American people to resent vigorously such dictation—a course sure to arouse the many Frenchmen who were against the British, against the King or against Guizot—caused that power to fall back; that in consequence England wavered and then withdrew; and that all this grand effort at international concert resulted only in a sort of conspiracy to divert the people of Texas from the destiny actually preferred by the majority. And it is interesting to note, first, that probably the decisive element in the affair was the readiness of a large number of Americans to plunge into a war for which the nation was wholly unprepared; and, secondly, that after these diplomatic events had been taking place for months, it was loudly asserted by opponents of Tyler's administration, not only that England had no schemes afoot with reference to Texas, but that every idea of a European concert against annexation was transparent moonshine.<sup>49</sup>

<sup>48</sup> Elliot, secret, April 2, 1845. Id. to Jones, April 3, 5, 1845: Jones, Memor., 441, 443. Saligny to Jones, April 3, 1845: *ib.*, 443. (Saligny) N. Orl. *Picayune*: *Memphis Eagle*, April 23, 1845; Wash. *Constitution*: *Charleston Courier*, April 29, 1845. Smith to Jones, April 9, 1845: Jones, Memor., 446.

<sup>49</sup> *E. g.*, *Nat. Intell.*, Feb. 20, 1845. No doubt many who talked of war believed England would not fight, but even these would not have shrunk from it.

## XIX

### THE ANNEXATION QUESTION BEFORE MEXICO

It hardly need be said that from 1836 to 1845, even amid all the inconsistencies that surrounded it, Mexican feeling in reference to Texas and the Texan question was consistently bitter. In opening Congress January first, 1838, President Bustamante said: "With regard to the Texas campaign, I will only observe that its prosecution is the first duty of the Government and of all Mexicans;" and this was the refrain perpetually. The province had revolted; by the fortune of war Mexico's army had been vanquished there; a Mexican President had been taken prisoner. The national honor had therefore to be vindicated, the national interests to be protected; and the smallest crumb of victory against the "rebels" was hailed with unbounded exultation. Even as far from the capital as Tabasco, *La Aurora*, on hearing of a successful raid, exclaimed, "What Mexican does not feel in his breast an insuppressible joy on seeing the arms of his nation triumphant ever against a horde of infamous bandits?" "Urgent necessity of the Texas war," became a stock phrase with journalists and pamphleteers, and the trumpet was sounded in every key.<sup>1</sup>

In addition to this fundamental sentiment, there were certain related ideas that increased its power. Foreign nations are watching our conduct in this matter, argued the writers, hoping to make our country the plaything of their whims and purposes. The American Union in particular was represented as covetous of its neighbor's territory and even as plotting to extinguish her independence. The United States, "in their delirious ambition, aspire to plant their unclean flag, the emblem of treason, ingratitude and injustice, in beautiful and opulent Mexico," cried a pamphleteer in 1842; and this idea became almost as familiar and almost as unquestioned as the doctrine of the Trinity. Moreover the influence of the Texas affair was artificially increased by certain politicians who found it

<sup>1</sup> See General Note, p. 1. This chapter, as published in the *Amer. Hist. Rev.*, Oct., 1910, contains a number of additional illustrative quotations worth the attention, perhaps, of those interested in this phase of the subject. On the other hand some new material is presented here. Bustamante: F. O., Mexico, cxiii. *La Aurora*, Oct. 27, 1842.

useful, and particularly by Santa Anna, that prince of schemers. He, on opening Congress in 1842, spoke thus with reference to the war: "If we wish to preserve an honorable name among civilized nations, it is essential that we employ all our energies and resources in combating without cessation, at any sacrifice and at all hazards, until our arms and our pretensions finally triumph;" and in time this matter became an integral part of Mexican life and consciousness, overpowering the imagination and sapping the strength of the nation like a cancer.<sup>2</sup>

Intelligent men saw quite early, however, as was pointed out in a previous chapter, that Texas could not be recovered, and some dared speak of peace. Cañedo, we recall, favored a settlement when Minister of Foreign Relations in 1839, and in January, 1844, that statesman expressed a similar view, supporting it with strong arguments, in the *Revista Económica y Comercial de la República Mexicana*. This disposition on the part of a few to recognize the facts was reinforced by France and still more by England. Early and late, as we have seen, England recommended and urged in the strongest terms, as a most desirable and indeed a most necessary step, that Mexico acknowledge the independence of Texas; and at first one is amazed to find that even at a time when she had great influence in the country, no regard was paid to her wishes and apparently no consideration given to the weighty reasons that she put forward. Yet in reality the inaction of Mexico was not due merely to blindness, indolence or obstinacy. She, as well as Great Britain, had reasons, and there were not a few of them.<sup>3</sup>

In the first place every nation is unwilling to acknowledge itself defeated by rebels, and this was peculiarly true in a case where so vast a disparity of numbers and wealth existed. Racial pride not only emphasized this reluctance, but led Mexico to scorn the Texan colonists as beggars because they had asked for lands, and as ingrates because they had revolted. Thirdly, she gloried not a little in having abolished slavery, and it was felt by many that in effect a recognition of the lost province would be an endorsement of an odious institution against which the nation had committed itself; and

<sup>2</sup> E. g., *Urgente Necesidad de la Guerra de Tejas*, dated Dec. 10, 1842. S. Anna: *Nat. Intell.*, July 22, 1842.

<sup>3</sup> *La Revista*, etc., Jan. 15, 1844. Some of the statements made below in support of the last sentence of this paragraph are based upon a rather extensive examination of contemporary Mexican periodicals found in many places, and it would be useless to fill a large space with references to inaccessible sources.

fourthly, as Cañedo's article suggested, it was feared that an acknowledgment of Texan independence would encourage other dissatisfied sections, particularly California, to secede. The Mexicans tried to believe also, and most of them were successful, that the United States had instigated the rebellion; they knew that our country had long desired the region; and they could not forget that many American volunteers had aided the people of Texas to defeat their troops. Official documents and the popular clamor agreed perfectly in charging us with impudent and criminal breaches of international law and treaty rights. For such and for other reasons Mexico was unfriendly toward us; and not only did this nation wish Texas recognized, it was believed, but it seemed very possible that an acknowledgment of her independence would assist us to obtain the coveted territory, and so would bring us into a dangerous contact with several disaffected Departments. Resentment and self-interest co-operated, therefore, in urging that recognition be withheld.

In another way no less, the unpleasant feeling against the American Union worked in this direction. The Mexicans were keenly alive to the fact that great differences of opinion between North and South existed here, and that Texas was a bone of contention among us. From both sections they heard the words "disunion" and "dissolution," and naturally, arguing from their own methods, they looked for a breaking up of the nation. "Perhaps the day is not far distant," wrote the Mexican minister to this country in August, 1844, "when we shall see two republics in place of these now United States," and he thought the anticipated election of Clay to the Presidency in the autumn of that year might precipitate the crash. It was therefore a definite aim of Mexican policy to stimulate our differences. Over and over again the Minister of Foreign Relations, in a letter addressed to Shannon, the American representative, but really intended for the public, made a striking distinction between the two sections of our country. Now he dwelt upon "the artifices by which the government and the southern people" of the Union had created the Texan situation; now he lamented the evils brought upon his nation by "the faithless [*poco leal*] conduct of the government and the people of the southern States"; and finally he referred to the North as "that portion on whose honor Mexico relies, doing to it the justice which it merits, and which its own government endeavor to take from it, by representing it as an accomplice in a policy to which the nobleness of its generous senti-



ments is repugnant." From this point of view it was plainly for the interest of Mexico to render the Texas controversy as permanent and bitter as possible, in order to paralyze or at least weaken a neighbor whom she dreaded, and thus not only protect herself but gain the revenge for which she longed.<sup>4</sup>

England, though not hated, was regarded with suspicion. In 1825, when the draft of a treaty with that country, which the Mexican government had been eager to conclude, was laid before Congress, Great Britain was held up there "as an Object of Jealousy and Suspicion," and great pains were taken "to excite Doubts, and Fears, with respect to her future conduct." The following year, when the author of a violent pamphlet against the English was banished by President Victoria, Congress annulled almost unanimously the "extraordinary powers" which had enabled him to inflict this merited punishment. In 1833 a letter was published in the official newspaper, charging England with a design to interfere in the internal political affairs of Mexico. On general principles the wealth and might of that nation excited envy and fear, and the heavy debt to London bondholders was felt to be a sort of usurpation of power. The British recognition of Texas caused very deep resentment. The English held great properties in the country, and their government were continually making claims and uttering protests in behalf of the owners. It was thought by many intelligent Mexicans that the foreigners with whom they had relations did all they could to hinder the commercial and industrial development of the nation in order to have the advantage of supplying its wants, and this feeling applied with special force to the English, who enjoyed the major part of that business. British capitalists were believed to have co-operated with Santa Anna in looting the public treasury; and a secret correspondence was commonly said to have been discovered after his fall, in which he had agreed to surrender Yucatan and California to England. A little later the Mexican correspondent of the London *Times* reported that the "grasping policy of Great Britain" and in particular her supposed designs upon California were "a constant theme of declamation and complaint." There was a fear that by following her advice a still greater hold upon the country as a whole or at least upon some portion of it

<sup>4</sup> Almonte, No. 99, Aug. 18, 1844. Rejón to Shannon, Oct. 31, 1844: Ho. Ex. Doc. 19, 28 Cong., 2 sess., 8.

might be given her, and therefore it seemed best upon general principles to hold off in this matter.<sup>5</sup>

More particularly still, it was suspected that England herself had an eye upon Texas. In 1842 a New Orleans newspaper suggested that she wanted to get that country into her power so as to control a cotton-growing region, and was using Mexico as a cat's-paw; and the Mexican consul brought this article to the attention of his government. In 1836, it is true, the administration had been disposed to hand over its rebellious aliens in the north to Great Britain; but the later feeling was very different. "There is no power on Earth," wrote the American minister at that capital in February, 1844, "with which Mexico would not rather see Texas connected than with England, either as a colony, or upon any other footing of dependency or union, political or commercial;" and it will be recalled that in a conversation with Upshur at about the same time, Almonte agreed with him that it would be "infinitely better" for the mother-country that Texas form a part of the American Union than that she become a commercial dependency of London. In this he was no doubt sincere, and he assured his government that what England and France aimed at in recommending peace was to establish a home for their surplus population between the Rio Grande and the Sabine, and create a new market there from which to "inundate" Mexico with smuggled goods. Finally, there was a lack of faith in Great Britain's intention to carry the matter through. In December, 1844, the same minister said, when instructed to ascertain her real policy regarding the annexation of Texas, that he positively knew she was not disposed to have war with the United States on account of this affair.<sup>6</sup>

Against France deep feeling existed. Not only had there recently been a war with that nation, but certain incidents of the conflict had left a peculiar enmity behind. Later, it will be remembered,

<sup>5</sup> Morier and Ward to F. O., No. 6, April 30, 1825: F. O., Mexico, xii. Ward to Id., No. 16, March 10, 1826: ib., xx. (Letter) Pak., No. 77, Dec. 23, 1833. (Hinder) Bustamante, Gobierno de S. An., 118. (Looting) Green, private, June 17, 1844. Green said: "The English merchants here are all in favor of his [S. Anna's] Govt., because under his administration, *negocios*, (which in English may be rendered *transactions* effected by bribery) are most frequent and most profitable. They are his best customers; they pay most liberally for exclusive licenses to import, etc., etc.—They put money in their pockets; he amasses golden ounces. They serve each other, and the interest of G. B. is on his side." Bank., No. 111, Dec. 31, 1844. *Times*, April 11, 1846. See also Otero, Cuestion Social y Politica, 95.

<sup>6</sup> *Crescent City*, June 20, 1842: Sria. Relac. Pak., No. 48, July 1, 1836. Thompson, No. 40, Feb. 2, 1844. (Conversation) State Dept., Mex. Notes, Feb. 16, 1844. Almonte, No. 28 (res.); No. 161 (priv.), Dec. 14, 1844.

a quarrel had occurred with its minister, a haughty, domineering individual, whose doings had keenly and justly offended Mexican pride; and this difficulty had not yet been settled. The French king himself had urged the recognition of Texas in an imperative and almost insulting manner. One interview of his with the Mexican representative has already been mentioned. In July, 1844, a second took place. At that time Louis Philippe inquired whether it was the intention to acknowledge the independence of Texas, and when Garro replied without hesitation in the negative, His Majesty retorted, "Then I must tell you with all frankness that my intelligence is not able to understand your policy"; and he would not permit the envoy to explain. Such insistence on the part of France appeared, like England's urgency, too suggestive of self-interest.<sup>7</sup>

Behind all these particular causes of distrust there lay, also, a deep-seated suspicion of foreigners in general. This highly characteristic attitude of mind was largely a heritage from the colonial period, when aliens had been rigidly excluded; but the people were confirmed in it by all sorts of misrepresentations. When the cholera morbus was making terrible ravages in 1833, many believed that the cause of the scourge was the poisoning of fountains by men from abroad. This one illustration will suffice, but the number that could be given is almost without limit. Finally, Mexican administrations had so insecure a tenure of existence that officials lived only for the day; political opponents were so cunning and unscrupulous and the public so wanting in confidence and intelligence that no avoidable responsibility was willingly incurred; the ministers themselves were in most cases unequal to their tasks, and all of them had more work than could be done; and the eternal doctrine of *Mañana* (tomorrow) always provided a convenient way of escape. In short, the recognition of Texas presented itself to the Mexican mind as a great sacrifice of honor and interest recommended by one country that was considered a perfidious, arrogant and over-prosperous rival, eager to acquire the territory; by another that was regarded as hateful in war and hateful in peace; by a third, known to be a creditor and believed to be a schemer; and by a fourth, looked upon as a handful of insolent, ungrateful beggars, at once the scum and the dregs of christendom; while all the complications of Mexican politics and all the peculiarities of Mexican character tended to reinforce the arguments for inaction.<sup>8</sup>

<sup>7</sup> (Feeling) Ashburnham to F. O., No. 111, Dec. 31, 1838: F. O., Mexico, cxvi. Garro, No. 15 (res.), July 4, 1844.

<sup>8</sup> (Fountains) Pak., No. 55, Oct. 5, 1833.

By the middle of February, 1844, Bankhead, the British minister in Mexico, received official information by the way of Van Zandt, Elliot and the Foreign Office that the United States had informally proposed annexation to the Texan envoy, and one can hardly doubt that he communicated to the government near him a piece of news not only so important in itself but so well calculated to justify the course recommended by England. All the steps made known by the American newspapers were more or less closely followed from that time on, and many editorials against the project, which appeared in the anti-administration journals of the United States and accused our government of bad faith, of greed and of duplicity, were reproduced in the official *Diario* and in other Mexican papers. To suggest what their effect upon the public must have been, it is enough to mention that an article from the *Anti-Slavery Standard* of New York was presented as an impartial account of Tyler's proceedings. The popular Democratic view that the Presidential election had settled the question of annexation did not escape notice; and the Executive Messages of December, 1844, were carefully scanned. Moreover, the Mexican consul at New Orleans insisted continually in his reports that annexation was now only a question of time.<sup>9</sup>

On February 14, 1845, the passage of Brown's resolution by the House of Representatives was known at Mexico, and this news created "great consternation" in the government circle, reported Bankhead. Cuevas, Herrera's Minister of Foreign Relations, immediately asked the opinion of that sensible diplomat, who chanced to be with him when the information arrived, and was earnestly counselled to be moderate and cautious. Soon afterwards Bankhead followed up this advice by entreating him to delay no longer the acknowledgment of Texan independence. Cuevas replied that a proposition to recognize the ingrates would be rejected at once by Congress unless backed and aided by England and France, but with an assurance of that support would certainly pass. The British minister declined, however, to entangle himself. "I reminded his Excellency," he reported, "that any assistance from England must be a moral one, for that whatever disposition may at one time have existed to go beyond that line, had now been withdrawn"; and this unsatisfactory answer was all that could be obtained.<sup>10</sup>

<sup>9</sup> Dec. 26, 1843, F. O. sent to Bank. a copy of Elliot's despatch of Oct. 31, which reported the interview with Houston at which Elliot learned of Van Z.'s despatch of Sept. 18: F. O., Mexico, clx. *Diario*, June 15, 1844, and *passim*. Arrangoiz, No. 58 (res.), June 17, 1844; No. 60 (res.), June 19, 1844; No. 26 (res.), Feb. 4, 1845.

<sup>10</sup> *Diario*, Feb. 14, 1844. Bank., No. 19, March 1, 1845.

The following month Cuevas laid before Congress a *Memoria*, on the portion of which relating to Texas he had consulted Bankhead, and one may suppose had been influenced by him. In this paper the minister urged that under Santa Anna the foreign affairs of the nation had been very badly managed, and endeavored to bring against the hostile bearing displayed towards the Texans all the unpopularity of the now overthrown tyrant,—the ministry, as he explained, having been “blind, and wholly carried away by the impetuous genius of the man who dominated it.” He then proceeded to adduce reasons for adopting a new method in handling the matter. It is impossible to regain our lost province, he argued. The people are all aliens; they have no sympathy with Mexico; and they can neither be exterminated nor compelled to join heartily with us. Military success against them, if possible, would cost more than it would be worth; and the only real chance would be to induce colonists from other nations to settle there and neutralize the influence of the Americans. War, then, is not feasible. Equally grave is the problem of recognition. The national honor and the integrity of the national territory are involved in that question; besides which Texas, if independent, would carry on smuggling operations, and would be the ally and tool of the United States. Worse yet, however, would be the absorption of that region by its powerful neighbor, for while “the independence of Texas perhaps would not make necessary a war with the American republic; from its annexation, this must inevitably result.” It is, therefore, “not strange that the idea be suggested of a negotiation which, based upon our rights, should be worthy of the Republic and should ensure definitively the respect with which the United States must regard Mexico.” If such a course be pursued, the nation in case of war “can reckon upon more sympathy [than could otherwise be expected] and upon the co-operation of that just and enlightened policy which prevails in the world to-day.”<sup>11</sup>

Meantime reports from Arrangoiz, the consul at New Orleans, made the success of the annexationists appear still more certain. On the eighth of March he wrote that even a prospect of hostilities would not stop the United States, and a week later that although most of the Texan newspapers condemned the terms of Brown’s resolution, it would be acceptable to the people. The Mexican public became greatly excited, and the government found it necessary to

<sup>11</sup> Bank., No. 46, April 29, 1845. *Memoria*, March 11, 1845.

despatch troops northward; but on the twentieth Bankhead informed Elliot that all the bravado of threatening war meant nothing, and that Mexico was disposed to receive overtures from Texas with a view to recognition. Such an assurance Cuevas had authorized him to give, and it was forwarded to Elliot by the *Eurydice*.<sup>12</sup>

On the very next day came official information that the American Senate and President had acted in favor of annexation. Cuevas immediately sent for Bankhead, who endeavored to calm his excitement; and later both the English and the French ministers discussed the situation with the Secretary, and strongly recommended moderation. Congress was officially given the news on the twenty-second, and that body immediately put on a warlike front. It was proposed in the lower House to abrogate the treaty of amity and commerce existing between the United States and Mexico, shut out American trade, and prohibit the restoration of commercial intercourse except on the basis of non-annexation; and a few days later it was moved that "under the existing circumstances the Government should listen to no proposition having for its object the recognition of the independence of Texas, and under no circumstances to propositions looking towards the annexation of that Department to the United States"; and the resolution even undertook to make it legally treasonable to "promote either of these designs by speech or writing." The administration, however, was not so pronounced. A letter to Shannon, moderated by the British and French representatives, broke off diplomatic relations with him; yet, as the *London Times* noted at once, it did not reassert the claim of Mexico to the Texan territory, and it was plain to close observers that the government had not been controlled entirely by the feelings of the public nor even by their own.<sup>13</sup>

On the afternoon of April 7 a fearful earthquake shook the capital and filled its inhabitants with mourning and alarm. Immense damages were caused; the halls of Congress were so much injured that sessions could no longer be held there, and shocks continued to work havoc the following day. Whether this visitation had any effect on public sentiment cannot be known; but a spirit of serious-

<sup>12</sup> Arrangoiz, No. 47 (res.), March 8; No. 51 (res.), March 14, 1845. Bank., No. 27, March 31, 1845. Id. to Elliot, March 20, 1845: F. O., Mexico, clxxxiv. Elliot to Jones, April 3, 1845; Jones, Memor., 441.

<sup>13</sup> (March 21) Bank., No. 31, March 31, 1845. *Diario*, April 11, 1845. *La Voz del Pueblo*, March 29, 1845. Shannon, No. 9, March 27; No. 10, April 6, 1845. The news of the annexation was confirmed on the 28th: Méx. á través, iv., 538. Cuevas to Shannon, March 28, 1845: *Diario*, March 28, 1845. *Times*, May 10, 1845.

ness must have been promoted by it, and the government may have argued that the superstitious masses would feel doubtful whether heaven approved of their bellicose excitement. At all events, on the eighth Bankhead wrote that he believed Congress would accept "any fair plan" for acknowledging the independence of Texas.<sup>14</sup>

Two days later the official journal published the note that Almonte had addressed to the American government after the President had signed the annexation resolution, protesting against his action and announcing an intention to withdraw from the country. This document was of course admirably suited to stimulate public opinion at home, for it described the absorption of Texas as "an act of aggression the most unjust which can be found recorded in the annals of modern history," and assumed an equally high tone all the way through. Much more noteworthy, however, was Buchanan's reply, published at Mexico on the same day, for it remarked suggestively that the admission of Texas to the American Union was now irrevocably decided upon so far as the United States were concerned, and added in plain words that only a refusal of the other party to accept the terms and conditions could frustrate the design. This language, though far from being so intended, was a strong argument in favor of the proposed negotiations with Texas, and some of the quick-witted Mexicans doubtless caught the hint.<sup>15</sup>

On the evening of April 11 the British frigate *Eurydice* came in at Vera Cruz. Without loss of time her captain landed, and as soon as possible he set out for Mexico City, carrying despatches—it was understood—for the British minister. With him went an inconspicuous person in a white hat. This retiring individual, however, was Charles Elliot, the British chargé in Texas, who had induced his cousin to assume the rôle of a bearer of despatches in order to divert attention from him; and three days later, after having been duly robbed *en route* by the brigands, the travellers arrived safely at the capital with the Texan proposition.<sup>16</sup>

The outlook for their mission appeared distinctly favorable. President Herrera was a mild, fair, thoughtful and patriotic citizen;

<sup>14</sup> México á través, iv., 539. Bank. to Elliot, April 8, 1845: F. O., Texas, xxiii.

<sup>15</sup> *Diario*, April 10, 1844. Almonte to Calhoun, March 6, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 38. Buch. to Almonte, March 10, 1845: *ib.*, 39. (Hint) México á través, iv., 539.

<sup>16</sup> Elliot to Jones, April 5, 1845, endorsement: Jones, Memor., 443. Dimond to State Dept., No. 236, April 12, 1845: State Dept., Desps. from Consuls, Vera Cruz, i. Elliot to George Elliot, April 5, 1845, and memorandum: F. O., Texas, xv. G. Elliot to Austen, May 2, 1845: *ib.* Bank., No. 46, April 29, 1845.

and his policy was not characterized by the animosity towards the United States, real or assumed, that many previous governments of Mexico had exhibited. The official journal had even reprinted without comment an article from an American newspaper condemning Rejón's bitter correspondence with Shannon. Already the President had indicated a willingness to make advances toward peace like those suggested by Santa Anna just before his fall, and the terms now received from Jones were unexpectedly acceptable. Indeed Bankhead described the proposition that Texas would not join any foreign nation as "a positive and unsolicited concession" to the mother-country. The British minister was regarded at this time by the American consul as the dominant factor at Mexico. In fact the consul intimated that the administration was "under the tutelage of the British Legation"; and all the influence of England favored, of course, an acceptance of the Texan overture, while the *Memoria* of Cuevas was believed to have inclined the public toward concessions. A council of the ministers was at once convened; the proposition was laid before it; and the cabinet decided to endorse it.<sup>17</sup>

There existed, however, a difficulty. As the government possessed no authority to alienate any portion of the national territory, it was necessary to ask Congress for the power to do so. Several days were therefore taken to prepare that body for the request, and then on the twenty-first Cuevas laid the subject before the Chamber of Deputies in what was termed an *Iniciativa*. "Circumstances have arisen," he said, "which render negotiations for blocking the annexation of Texas to the United States not only proper but necessary . . . [and] Texas has at last proposed a settlement." To refuse to treat regarding this matter would constitute "a terrible charge against the present administration"; yet the President, "though satisfied of its importance and of the urgency of doing something in regard to it, is also convinced that the Executive cannot act in the affair without a previous authorization from the Chambers." Should this be granted, the proper steps will be taken. If an honorable arrangement can be made, the government will lay it before Congress; while if not, they will be the first to declare for a war, "which will be the more just, the greater have been our efforts to prevent it." To adopt any other course than to break at once with the United States is a very great sacrifice for the administration;

<sup>17</sup> Shannon, No. 8, Jan. 16, 1845. Bank., No. 110, Dec. 31, 1844; No. 46, April 29, 1845. Parrott to Buch., May 13, 1845: State Dept., Desps. from Mins., Mexico, xii.



but, with a view to the welfare of the country, we suggest that "the Government be authorized to hear the propositions made regarding Texas, and proceed to negotiate such an arrangement or treaty as may be deemed proper and honorable for the Republic." This request was received "most favorably," reported Bankhead; and Elliot wrote to Jones before the day was over that in a week the conditions of peace would be formally signed.<sup>18</sup>

But the government had not the sole authority. There was a public, and the public felt deeply on this matter. To see a few people, nearly all of them foreigners, rebel, seize a large portion of the nation's territory, rout its army, capture its President, establish a working government and gain recognition abroad had been fearfully trying. To believe, not only on the authority of every Mexican leader but on that of many honorable and eminent Americans, that all this loss and chagrin were largely if not wholly due to the machinations of a neighbor, allied to Mexico by a treaty of amity and constantly professing friendship, was harder yet. And now to find those Texans, recently so eager to escape from all outside control, preparing as if by a preconcerted understanding to join that seemingly perfidious and aggressive nation, carrying their invaluable territories with them and bringing its frontier to the very bank of the Rio Grande,—this was certainly enough to make any man, ignorant of the steps by which it really had come about and quite unable to understand American ways, boil with rage.

Public sentiment, therefore, had been observing matters with growing excitement. The government's proposition to the Chamber was made in secret, but more or less distorted accounts of it leaked out. The Federalists accused the administration fiercely of selling a part of the country for British gold, insisting that England's efforts in the matter were for selfish ends. Tornel, formerly Santa Anna's crafty satellite and now the editor of a newspaper, cried loudly for war though personally a notorious coward. "Let us die, but let us die bathed in the blood of our enemies?" exclaimed *El Veracruzano*. "The triumph will be ours," declared *El Jalisciense* more hopefully but with no less fury, "and the infamy will fall upon the enemies of justice." "Let us fly to Texas and recover the honor of the nation!" exhorted *El Observador* of Zacatecas. "The entire nation demands war. . . . What, then, is the Government about?"

<sup>18</sup> Bank., No. 46, April 29, 1845. Cuevas, *Iniciativa*, April 21, 1845: *Diario*, April 21, 1845. Elliot to Jones, April 21, 1845: Jones, *Memor.*, 452. México á través, iv., 539.

. . . Alas for the Mexican nation if it lose these moments, precious for overcoming its enemy! Alas for Mexico, if she forget that her independence, that her liberties are to-day in danger!" cried *La Voz del Pueblo*; and still more furiously the same popular journal exclaimed, after Cuevas had presented his *Iniciativa* to the Chamber, "Extermination and death to the Sabine was the cry of our victorious legions at the Alamo, Béjar and El Salado. Extermination and death will be the cry of the valiant regulars and of the citizen soldiery, marching enthusiastically to conquer Texas." "Mexicans! . . . Already you have ceased to possess a frontier or even a dividing line between yourselves and your perfidious neighbor. Already you have lost the hope of preserving your independence. Day by day from now on that independence will grow feebler; and at this very moment we see our liberties, our cherished liberties, Mexicans, threatened by an enemy close at hand. You, then, Mexicans, what are you doing?"—thus appealed *El Veracruzano Libre*. "The Texas affair has ceased to be a question," declared *El Boletín de Noticias*; "In the face of the world the most horrible of perfidies has now been consummated, and the peril of our country places before us the terrible problem whether to exist or to exist no more." Not only fierce but persevering were these and other journals; and the editors of *La Voz del Pueblo*, not satisfied to hurl thunderbolts—or at least firebrands—against the United States, issued a pamphlet which, suggesting that England intended to establish a protectorate over Texas, use San Francisco as a base for her trade with Asia, and reduce the people of northern Mexico to a condition like that of the Mahrattas, denounced the "infantile confidence" with which the ministry had listened to proposals coming through a British channel as "truly wonderful." It is actually proposed to renounce forever, so *Le Courrier Français* summarized the language of the extremists, a province that is ours; the intervention of England and France would cost us dear; no sort of arrangement with rebels ought to be tolerated; "*Delenda est Carthago!*"<sup>19</sup>

Such appeals as these were admirably calculated to excite the public they addressed, for they touched the springs of patriotism, pride, suspicion, jealousy and conscious weakness. Five days after Cuevas presented his *Iniciativa* the American consul at Mexico re-

<sup>19</sup>Bank., No. 48, May 20, 1845. *Veracruzano*, April 5, 1845. *Jalisciense*, April 1, 1845. *Observador*, April 6, 1845. *Voz del Pueblo*, April 16; May 3, 1845. *Veracruzano Libre*, March 24, 1845. *Boletín de Noticias*, March 4, 1845. *Federacion y Tejas*. *Courrier Français: Diario*, May 18, 1845.

ported, "War with the United States seems to be the desire of all parties rather than to see Texas annexed." At Vera Cruz and Puebla there were even symptoms of revolt. The cabinet felt greatly distressed. To the Minister of Foreign Relations every sign of opposition seemed invincible, and Bankhead reported in disgust: "It required all the argument and solicitation of Monsieur de Cyprey [the French minister], and myself to keep Señor Cuevas up to the mark, by repeating to him the absolute necessity of immediate action, and pointing out the crisis in which the Country is placed." Bankhead believed, and no doubt urged, that the absorption of Texas by the United States would mean the opening of a door for the conquest of Mexico. Yet with such a peril "staring him in the face," as the British representative said, the fear of taking a responsibility often caused Señor Cuevas to present "the most puerile arguments to avoid giving a direct answer to the Texian propositions." In fact he seemed convinced by the tenth of May that the ministry would have to resign; but finally, stimulated by the exhortations of the British and French representatives not to abandon the cause of Mexico and encouraged by promises of support from political friends, the cabinet consented to remain in office.<sup>20</sup>

There were, however, other causes of embarrassment. All the previously mentioned considerations tending to favor inaction in the matter had an opportunity to present themselves anew. In particular it was very difficult for the ministers to rid themselves of the familiar notion that giving up Texas might involve the loss of other territory and even a greater loss. In asking Congress to grant \$3,000,000 the government had said in April, "The question is not merely whether Texas is or is not to be independent of Mexico, but also whether Mexico will hereafter be an independent nation or be a colony" of the United States. It is possible that Cuevas hoped to obtain, by holding off, an English and French guaranty of the northern boundary. He knew that in June of the previous year England at least had been ready to stand behind the permanent independence of Texas, that France had pursued of late the same Texan policy as her neighbor, and that both were now quite as anxious to have Mexico recognize that country as they had been at any previous date. He understood, too, that without such a guaranty her independence might prove a feeble barrier, or no barrier at all, against the United

<sup>20</sup> Parrott to Buch., April 26, 1845: State Dept., Desps. from Mins., Mexico, xii. Bank., No. 48, May 20; No. 46, April 29, 1845. Id. to Sir Ch. Adam, Apr. 29, 1845: Brit. Admty. Secy., "In Letters," Bundle 5,549.

States. Considering all this and aware that Great Britain had strongly recommended the recognition of Texas for the very purpose of establishing such a barrier, he may reasonably have suspected that Bankhead and Cyprey were authorized to give the desired pledge should that step become absolutely necessary, and he may have adopted a policy of delay partly for effect upon them. Another statesmanlike view also may have been entertained. In February the Mexican minister at Washington had written to Arrangoiz that the pending Oregon bill would certainly, if passed, cause hostilities between the United States and England, and this idea was forwarded to the capital. That bill, to be sure, did not become a law; but Polk's inaugural address took so uncompromising a stand for American claims in the far Northwest that a conflict seemed once more very possible, and Cuevas may well have paused to inquire whether such a war might not give his country an opportunity to make good her claim to Texas, and whether England's present eagerness to have that country recognized might not be due in a greater or less measure to a perception of this very fact.<sup>21</sup>

Procrastination, however, on the part of Mexican diplomats does not absolutely require so elaborate an explanation. Indolence was constitutional and habitual with them; and to that cause more than to any other Bankhead attributed the delay in this affair. Racial formalism was another obstacle. Peña y Peña, chairman of the Senate committee, for example, caused the waste of several precious days by drawing up a labored report that went back to the Duke of Alva and the Low Countries. Then the business was nearly upset by the news that President Jones had convoked the Texan Congress to consider the American annexation proposition, and that—as the Mexican consul at New Orleans wrote—ten more United States war vessels were coming to Vera Cruz; but Bankhead assured the government that the latter report could not be correct, and Elliot explained that Jones's action was merely intended to silence the clamor and defeat the intrigues of the American party in Texas.<sup>22</sup>

While the diplomats discussed and meditated, the official newspaper endeavored to bring the people around. As for the course of the United States, it said, the opinion of all is the same; but it is now a question of "opening negotiations for the very purpose of preventing" the success of their designs. If the government refuse

<sup>21</sup> Bank., No. 38, April 29, 1845. To Bank., No. 16, conf., June 3, 1844. Bank., No. 65, Aug. 29, 1844. Arrangoiz, No. 35 (res.), Feb. 17, 1845.

<sup>22</sup> Bank. to Elliot, May 20, 1845: F. O., Texas, xxiii. Bank., No. 48, May 20, 1845.

to hear the proposals of Texas, it may hereafter be said that by so doing they brought upon us the greatest of evils; whereas if those proposals are listened to, no matter what be the outcome, it will be clear to the world that we resort to war only after exhausting all honorable measures to avoid it. Besides, the negotiations are to rest, as we understand, on a basis highly creditable to Mexico, and the result of them will be submitted to the Chambers. An opposition paper attacks the idea of even hearing Texas, on the ground that while we dream of a peaceful settlement, the United States—"who never sleep"—will overwhelm us; but there is no need of relaxing our preparations for war while we negotiate. The article in question betrays personal considerations all the way through. It is simply an attempt to discredit the ministry, and it would be better to await the result of the discussion, and see what kind of a treaty is actually drawn. Others complain because the propositions of Texas are not immediately published; but it would be stupid to make them known, since the Americans might then baffle us, as they have already taken advantage of every blunder on our part.<sup>23</sup>

It is charged, protested the *Diario* further, that the ministry have usurped an authority not belonging to them; but this is false, for they have taken no final action and will leave the decision to the Chambers. It is objected that they have asked for power to sign an agreement as well as for power to hear propositions; but it would be absurd to let them listen yet refuse them all authority to do anything. It is argued that treaty-making is a sovereign act, and that our government—recognizing the ability of Texas to treat with us by asking leave to negotiate with her—practically admit the independence of that country; but it is well known that in every case of rebellion the seceding part of a nation is for certain purposes regarded as if independent, and this was done by ourselves in the instance of Yucatan. It is further objected that the organic law permits the President to make treaties only with foreign nations, and that the ministers, by asking permission to treat with Texas, recognize it as such; but they would have had no occasion to ask for special powers had they regarded Texas as a foreign nation. Another objection is this: The organic law gives no authority to treat with a revolted province, and therefore the mere proposal of the government is in itself a violation of law; but at the worst, if the law did forbid them to treat with a revolted province, the proposal would be

<sup>23</sup> *Diario*, April 22; May 1, 1845.

only a suggestion that one of its features be annulled. The constitution does not, however, forbid such negotiations, for it is merely silent on the matter.<sup>24</sup>

At the same time the urgency of the situation was further emphasized by Arrangoiz. The press of Texas, he reported, had come over generally to the side of annexation, and the Congress would not dare to reject the American proposition. At Fort Jesup, near the Texas frontier, he added, there were sixteen companies of United States infantry and seven of dragoons; and other troops had been ordered to that point. In all there were 2,500 or 2,600 men; and they would enter Texas immediately, should it be known that Mexican troops had crossed the border. It would therefore be in vain to rely upon force. Meanwhile Almonte, who believed his nation ought to recognize Texas at once and hurried home to present his views, appears to have arrived on the scene, and no doubt he gave additional strength to that side of the question.<sup>25</sup>

Finally, after three days of debate, the Chamber of Deputies authorized the cabinet on May 3 to hear the propositions "offered by Texas," thus gratifying the national pride by pointing out distinctly who had tendered the olive branch. At the same time, instead of permitting the ministers to negotiate such an agreement as they should consider proper and honorable, it only gave powers to negotiate one that should "be" proper and honorable. For this ingenious device to saddle the responsibility upon the executive department the vote stood 41 to 13. Two weeks later the Senate approved of the measure by 30 voices against 6, and at last on the twentieth Bankhead notified Elliot and Cyprey notified Jones of the acceptance of the Texan articles. Cuevas had made an additional declaration to the effect that in case the negotiation should for any reason fail or Texas consent directly or indirectly to join the United States, the action of Mexico in agreeing to treat with her should be considered null and void; but this bit of tactics did not affect the substance of the matter.<sup>26</sup>

<sup>24</sup> *Diario*, May 1, 6, 1845. The arguments of the *Diario* reveal the superficial and captious but clever character of the opposition. Its efforts were seconded by the ablest of the Mexican journals, the *Siglo XIX*. (e. g., April 24, 1845) and some others.

<sup>25</sup> Arrangoiz, No. 67 (res.), April 30, 1845. To Cowley, No. 46, April 15, 1845: F. O., Texas, xxi. Shannon, No. 10, April 6, 1845. The N. Or. *Picayune* (April 29, 1845) stated that Almonte reached Mexico on April 18; see *Méx. á través*, iv., 540.

<sup>26</sup> *Diario*, May 18, 1845. Bank. to Elliot, May 20, 1845: F. O., Texas, xxiii. Cyprey to Jones, May 20, 1845: Tex. Arch. *Méx. á través*, iv., 543. Cuevas, Add. Decl.: Sen. Doc. 1, 29 Cong., 1 sess., 89.

During the last week of April Elliot, having done all that he could at the seat of government, retired to the beautiful town of Jalapa, not far from Vera Cruz, and there awaited the result of his mission. On learning what had been done, he sailed for Texas in the French brig of war, *La Pérouse*, and May 30 he found himself once more at Galveston.<sup>27</sup>

<sup>27</sup> London *Times*, June 4, 1845. G. Elliot to Adm. Austen, April 30, 1845: Brit. Admty. Secy., "In Letters," Bundle 5,549. Dimond to State Dept., No. 243, May 27, 1845: State Dept., Desps. from Consuls, Vera Cruz, i. Elliot, No. 16, May 30, 1845.

## XX

### THE CRISIS

DONELSON, confiding in Allen's promise that nothing unfavorable to the cause of annexation would be done by the Texan Executive, visited the United States just before Christmas, 1844, and in the following March he was there again, waiting now for news that Congress had acted. By the twenty-fourth came Waggaman and the impatiently expected despatch from Calhoun. In the course of that day Buchanan's instructions also were placed in his hand, and after nightfall he sailed for Texas on the *Marmora*. Three days later he found himself at Galveston. The British and French ministers had now left for the seat of government on the mission that proved so effectual with President Jones; and Donelson, very soon discovering their movements, chartered a steamer and "put off" after them.<sup>1</sup>

No doubt he was anxious. Rumors were afloat that the British war vessel, which had lately arrived at that port, had brought the hoped-for Mexican recognition, and that a liberal commercial treaty was to be proposed by England. Indeed it was generally believed at Galveston that if recognition had not already been granted, Elliot and Saligny would promise to guarantee it should annexation to the United States be refused. Donelson had no little faith in the sentiment of the Texans, but there were unpleasant facts not to be denied. Many of the newspapers had shown hot indignation against the terms offered by the United States; and some, particularly the chief organ of the government, were now opposing them on grounds that suggested hostility to the very principle of annexation. It had often been asserted by men of good judgment that assured independence with favorable commercial propositions from England would thankfully be accepted. The friends of annexation were poor, and

<sup>1</sup> See General Note, p. 1. Don., conf., Dec. 24, 1844. Donelson had requested Calhoun to have any further instructions sent to him at New Orleans, and, on hearing that the Senate had acted, left his home in Tennessee for that city. For some reason, however, Waggaman was ordered to go via Nashville and look for him there. Consequently the instructions of March 3 and those of March 10 reached him on the same day. For this reason Polk's note of March 7, received on the 18th, had no effect. Id., March 24, 28, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 45, 46. Yell to Polk, March 26, 1845: Polk Pap.



in fact almost all the money in the country was under the control of the British element. Terrell, an avowed partisan of nationality, was confidently expressing the opinion in Europe that his views on the subject were rapidly gaining ground among his fellow-citizens, and there must have been a foundation to base it upon. A deep jealousy existed between the eastern and the western sections of the country; and an ominous chance could be seen that this might prevent harmonious action, even should the general sentiment be favorable. There was danger that the people, instead of boldly demanding what they wanted, would feel bound to follow the prominent citizens whom public opinion in the United States had taught them to regard as their leaders; and these men had ambitions, rivalries and interests that could be reached by personal and political arguments. Not a little might depend, too, wrote Donelson, on the shape in which the question of accepting the American proposal should be laid before the public, and this must be done directly or indirectly by the Texan government. It was therefore highly desirable to secure the cooperation of the President, and from that official he anticipated on the other hand "serious opposition."<sup>2</sup>

But there were powerful influences on the other side. In spite of everything, even though sometimes unconscious of the fact, a majority of the Texans deeply loved the American constitution and their kindred, the American people; while as heirs of 1776 and 1812, as the objects—like all Americans at that day—of British contempt, and as believers in the institution of slavery, they disliked and distrusted the English. It was well understood that in the event of annexation lands would increase very rapidly in value and make their owners comfortable or perhaps rich. Hopes were encouraged and even promises made, it was charged, that the rivers would be cleared for navigation, the harbors deepened, lighthouses built and fortifications constructed; and probably some exaggerated yet well founded anticipations of such benefits were entertained. It was predicted that American capital would flow into the land in ocean streams, Ashbel Smith complained; and this was substantially a reasonable forecast which, thwarted for a time by the civil war, has been fulfilled. When annexation came to pass, wrote one of the early settlers, "After all those years of trial and sore distress, being

<sup>2</sup> Yell to Polk, March 26, 1845; Polk Pap. Don., March 28, 1845; Sen. Doc. 1, 29 Cong., 1 sess., 46. Id. to Polk, March 18, 19, 1845; Polk Pap., Chicago. (Terrell) King, No. 11, Feb. 27, 1845. (Jealousy) Jones, Letter: *Niles*, Jan. 15, 1848, p. 308. Don., No. 21, April 29; No. 30, June 19; private, July 11, 1845.

as it were a kind of football for the greater powers on both sides of the Atlantic, it did seem good to see the old stars and stripes again floating over us, giving assurance of strength and protection, [and] saying to the nations of the world, 'Hands off;'" and this profound sentiment, later one of satisfaction, was already one of desire. Ground down by long years of adversity, poverty and war, the masses were eager to be safe from the many evils they had experienced; and now that the doors of the United States were seen to stand open, excited by this combination of strong feelings they "ran perfectly wild and frantic," said President Jones. British diplomacy being monarchical as well as abolitionist, and everything Mexican being in the popular view treacherous, whatever security was offered by those two powers in conjunction looked rather more than suspicious; but admission to the Union on a par with the old States meant a simple, definite and well tested guaranty of protection and welfare. Frank Mexican recognition at an earlier period might have satisfied them; but the present offer, apparently due to English management and evidently made to defeat annexation, was a different affair.<sup>3</sup>

Besides, there had been of late a powerful and increasing tide of American immigration. As Senator Ashley of Arkansas had stated only a month before, so many were passing Little Rock on the way to Texas that a steamboat was required to ferry them across the river, and corn had risen from twenty-five cents to \$2.00 a bushel along their line of march. There was also a route crossing the western part of that State, a third by way of Natchez and Nachitoches, and a fourth by Red River; and still other settlers came by water. Their total number made a flood. Nearly all of them had turned their faces toward the far Southwest confidently hoping, it may be presumed, that Texas would soon form a part of the Union; it was greatly for their interest as well as their satisfaction that such a result should come to pass; and it is easy to see that every one of them was a zealous missionary in the cause. Governor Yell, who had sailed for Galveston with the *chargé*, took hold; Memucan Hunt, formerly minister to the United States, issued an address in favor of accepting the American proposition; and of course Donelson himself, conspicuous wherever he went for

<sup>3</sup> Elliot, private, Nov. 15, 1842, described the American Texans as deeply suspicious of England. Smith, *Remin.*, 77, 76. Smithwick, *Evolution*, 281. Jones, *Memor.*, 42, 62.

both discretion and earnestness, was never at a loss for effective arguments.<sup>4</sup>

Public sentiment promptly declared itself. On the ninth of April Smith reported that he found it "*very intense*" everywhere, and was "forced to believe that an immense majority of the citizens" were in favor of annexation as presented in Brown's resolution. He felt satisfied, too, that they would "continue to be so," even if "recognized in the most liberal manner by Mexico." "Should it be suspected," he said with reference to his mission abroad, "that the matter was to be deferred till the European powers could in any wise be heard from or consulted, especially England," he was assured that an attempt would almost certainly be made "to plunge the country into a revolution." The mere idea that he was to cross the Atlantic excited the people. He deemed it advisable to let them believe that he was bound for Washington, D. C., and he felt convinced that on learning he had sailed, they would "*be inflamed beyond control.*" Such, he stated, was an inadequate expression of the opinions deliberately formed in the course of his journey from the capital to the shore of the Gulf. A few days later Judge Ochiltree, a member of the cabinet, wrote from Galveston that he found "deep and intense feeling" there. A "universal enthusiasm" was exhibited, said Donelson; and Elliot himself, on coming in contact with the sentiment of the people, described it as "hot and apparently general" in favor of annexation. Those opposed to the measure judged it necessary to conceal their views, and many thought it politic to advocate the cause, not only in order to avoid unpopularity, but as a method of defeating less outspoken rivals and placing themselves ahead of more conservative leaders. The tide had risen and was rising still; and Donelson very soon felt satisfied that he could rely upon its power.<sup>5</sup>

When that gentleman had arrived within twenty miles of the seat of government, Jones, Ashbel Smith, Elliot and Saligny were signing the Memorandum of their conference; and a few hours later the British and French envoys met him near the capital. With an eagerness he could not conceal Donelson asked them whether Congress had been convoked, "speaking of that measure as one of

<sup>4</sup> Ashley: *Cong. Globe*, 28 Cong., 2 sess., App., 287. Yell to Polk, March 26, 1845: Polk Pap. Wash. *Globe*, April 16, 1845. Yell, being an intimate friend of Polk (Polk, *Diary*, ii., 451), could in some ways exert a special influence.

<sup>5</sup> Smith to Jones, April 9, 1845: Jones, *Memor.*, 446. Ochiltree to Jones, April 13, 1845: *ib.*, 450. Don., No. 21, April 29, 1845. Elliot, No. 16, May 30, 1845 (P. S., May 31); Jan. 8, 1846.

course, and necessarily decisive of the whole matter ;" but the *chargés* only replied suavely that they "supposed the Government were waiting for his tidings, and that nothing had transpired of their purposes." He was particularly anxious to learn where Houston could be found, and even inquired of Elliot and Saligny ; but unfortunately they "could not tell him exactly." Regarding their mission he was unable to ascertain anything on the way, and even at the seat of government no clue could be obtained. They had appeared to show little satisfaction with its results ; but that was all he could learn, and it was less than nothing.<sup>6</sup>

A similar comedy was then played by Jones, Smith and Allen. Donelson gave the Secretary of State the substance of the American proposition on the evening of his arrival ; but Smith "seemed unprepared with views or opinions as to the course the President would adopt, and, if an inference had been drawn from the indefiniteness which marked his responses, it would have been most unfavorable." On presenting himself to Jones, Donelson was astonished to discover that the Secretary had suddenly been given a leave of absence, and that Allen was to serve in his place. He was then still more surprised by finding that Allen also had leave of absence, and quite naturally he feared there was "some settled scheme of delay, or of manœuvre to promote the imputed project of a treaty with France and England." But the President received him cordially, and listened to his remarks with apparent interest. He said he had previously leaned toward the idea of summoning the Congress to act upon the question of annexation, but now favored laying it before the people at once, and calling a convention to effect the changes necessary for the admission of Texas to the Union. This appeared ominous, for by the terms of Brown's resolution the consent of the "existing government"—including Congress—was requisite. What followed looked no more encouraging, for he added "that the gravity of the subject required him not to act in haste ; and that, although he had a decided opinion, he would dwell awhile on it, until he was aided by the advice of his cabinet." Next Donelson found that Allen also had a scheme for preventing Congress from assenting to the American proposition. The matter, he argued, was unconstitutional, and the executive branch could deal with it as well as the legislative. The *chargé* combated this view ; and Allen, finally withdrawing his objection, agreed to lay before the President Donel-

<sup>6</sup> Elliot, secret, April 2, 1845. Don., April 1, 1845.

son's draft of a reply to the American proposal. But this indicated no real progress, for Jones replied that he desired more time for reflection.<sup>7</sup>

It was noticeable also that Allen's leave of absence was to take him to a place about forty miles distant, where Houston was said to have just arrived. Donelson had written to the ex-President from Galveston, but he was now informed that for some reason his letters had failed to reach their destination. Moreover he heard that Houston intended to take a stand for the third section of the American resolution,—the part rejected by Tyler and Polk; and he could not help reflecting that it was only natural the Texan authorities should cling to a state of things which gave them honors and emoluments. The proposition embodied in sections one and two of the resolution was therefore submitted informally, although—by what Calhoun termed a masterly stroke of diplomacy—as an ultimatum. This action had no favorable effect, however. "Affairs do not wear the encouraging aspect I would desire," Donelson reported. There was evidently danger that the Texan government would decline to move, and by thus withholding their co-operation would defeat the American plan; and much was now being said "on the streets" of some scheme, based on English and French guaranties, to be submitted to the people at the same time as the offer of annexation. But the chargé determined to hope for the best, and insisted strongly upon action at an early date.<sup>8</sup>

He next visited Houston, and soon found that rumor had not misrepresented the ex-President's attitude. That leader was distinctly opposed to the American terms, objecting particularly to the cession of Texan public property and the uncertainty of the southwestern boundary. Donelson endeavored to satisfy him; but Houston still insisted upon the necessity of resorting to the third section—in other

<sup>7</sup> Don., April 1, 1845. The substance of Donelson's draft was that the President would call Congress at an early day, or designate a day for the people to choose delegates to a convention to decide upon the American proposals, and, should they be accepted, make the necessary changes in the government. In addition to the delays and other embarrassments that would have resulted from offering § 3 to Texas, Jones said later that—had this been done—the arrangement with Mexico could have been used to extort better terms from the U. S. (Letter, Nov. 13, 1847: *Niles*, Jan. 15, 1848, p. 308).

<sup>8</sup> See previous note. Don. to Allen, March 31, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 48. Id. to Calhoun, April 24, 1845: Jameson, Calhoun Corr., 1029. Calhoun to Don., May 23, 1845: *ib.*, 658. Jones, Memor., 103. See remarks in note 15. Jones to Don., Jan. 26, 1852: *ib.*, 583. Don., April 3, 1, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 51, 47.

words, opening negotiations—and inquired whether any guaranty existed that should his country accept the proposal and conform her government thereto, “she might not still be refused admission” into the Union.<sup>9</sup>

He even went farther, and put his ideas on paper. Brown’s resolution, he complained, dictates the terms and Texas is driven to submission, whereas she ought to have something to say about the matter; and, being compelled to surrender her property without compensation, she really has to pay a price for American statehood. On the other hand should the terms be arranged by negotiation, they could be laid before the public at the annual election in September, and should the people endorse them, the Congress could then take the necessary action. This course the ex-President pronounced “indispensable” from the Texan point of view, and he expressed the belief that without the third section the resolution would not even have passed the American Congress. In his judgment, he said, admission to the Union “would be very doubtful,” should the third section be ignored. He feared that should Texas accept the conditions and her new constitution prove unacceptable to the United States, there would be a tremendous upheaval in both countries. Not enough time was allowed her for a proper consideration of the whole subject. She was still regarded as a suppliant. She ought to part with nothing she might need later. There had been strong opposition in the United States against receiving her; and as the unfriendly element might some day gain control, her retained rights needed to be defined. These are specimens of Houston’s objections. As a whole they showed that he was catching at every difficulty which seemed likely to hinder the acceptance of the American ultimatum and to call for the opening of prolix and uncertain negotiations. Elliot himself could have done no more; and the Mexican consul at New Orleans informed his government that although Houston asserted he had not exchanged letters with the British minister for more than a year, it was positively true that a continuous correspondence had passed between them. In short, as Donelson reported, the ex-President “brought all his influence to bear against our proposals, and in favor of resorting to the negotiation contemplated by the Senate amendment to the House bill.” He did not talk very much on the subject, though he seems to have dealt a hard stroke

<sup>9</sup> Don., No. 18, April 12, 1845.

where he thought it prudent so to do; but, remarked Ashbel Smith, "his silence was not equivocal."<sup>10</sup>

There were, however, certain influences drawing him in the other direction. Donelson had brought down "a letter from the Chief," that he had thought would prove decisive. You have acted a noble part, wrote Jackson, in leading Texas home to the Union, "and your name is now recorded among the heroes, the patriots, and [the] philanthropists." Elliot said that Houston had "other friends" who would "endeavour to keep him in the way of his abiding honour and duty," but he fully recognized the power that emanated from the Hermitage. Ambition, too, while it held out a prospect of the great nation that Texas might some day become, held out also a nearer view of a great nation, the United States, that already was. The *Washington Globe* had suggested that in due time a chief magistrate might come from beyond the Sabine; and the *Baltimore American*, commenting on this remark, had pointed to Houston, and said that Jackson had already demonstrated his ability to make Presidents. Later this month Buchanan wrote to Donelson: "It is possible that some of the high officers of Texas, supposing that their importance and their emoluments might be lessened by annexation, may prove to be hostile to the measure; but surely the hero of San Jacinto cannot fear that his brilliant star will become less bright by extending the sphere of its influence over all the twenty nine States of our Federal Union;" and there is evidence that so obvious a personal argument had been discovered some time before. Only a few days later the British consul at Galveston reported to his government that the Texan leader had been mentioned by the Democratic journals of the United States as a probable candidate for the Presidency, and that it was believed the Sage of the Hermitage would recommend his nomination. Elliot thought other inducements had less weight than personal regard for Jackson; but Houston was not so constructed that he could ignore this gilded bait.<sup>11</sup>

A serious embarrassment was now encountered by the ex-President in the terms of annexation which he himself had suggested the previous December, when probably he believed that no real prospect

<sup>10</sup> Houston to Don., April 9, 1845; *Tex. State Hist. Ass. Quarterly*, Oct., 1897. Arrangoiz, No. 77 (res.), May 26, 1845. Don. to Calhoun, April 24, 1845; Jameson, *Calhoun Corr.*, 1029. Jones, *Memor.*, 103 (Allen said that Houston urged Miller to oppose annexation in the paper that he edited). Smith, *Remin.*, 69.

<sup>11</sup> Yell to Polk, March 26, 1845; *Polk Pap.* Jackson to Houston, March 12, 1845; Yoakum, *Texas*, ii., 441. Elliot, *secret*, April 2, 1845; No. 7, Jan. 20, 1846. *Globe* and *Amer.*: *Memphis Eagle*, March 31, 1845. To Don., No. 6, April 28, 1845. (Evidence) Kennedy, *private*, June 18, 1844; April 25, 1845.

of joining the Union remained. These demanded that the national debt of his country should be assumed or else that she should retain her public lands for the payment of it; and the American proposition offered the second alternative. On substantially all points his requirements had been fairly satisfied; and Donelson, referring to this fact in the discussion, maintained that he was virtually committed to the House bill. There was also that "wisdom growing out of necessity," the power of which had already been acknowledged. This and "all the circumstances which affected the relations between Texas and the United States" appear to have been brought before his mind, and every consideration that could work upon his judgment or his feelings was doubtless made to play its part. Yet Donelson admitted that he took leave of Houston "under a full conviction that if the adoption of our proposals depended upon his vote, it would be lost."<sup>12</sup>

Such a state of things was distinctly recognized by the chargé as "unfortunate," for he looked upon the ex-President as "the only man in the Republic" who could "embarrass the question." From two distinct sources he derived the ability to make serious trouble. One, arising from "the sincere respect and love entertained for him" now, as Donelson understood, "by the great mass of the people," sharers with him in "the glory of the revolution," was his influence on public opinion; and the other was his ascendancy over Jones, who could not fail to see, however unwillingly, the power that he wielded in the nation and the danger of ignoring it. According to Ashbel Smith, during this period the past and the actual heads of the nation were in the main on friendly and confidential terms; and Houston carefully drew out his objections to the House bill for the special purpose of influencing his successor. In particular, he advised the President to insist upon annexation by treaty, because a treaty could be abrogated. Supported by the national hero, said Donelson, the Texan Executive expected to throw the American chargé back for new instructions on the basis of negotiation; and should this plan fail, it was quite possible that he might venture, with the same backing, to prevent the requisite action of the Texan government. If Houston wavers, wrote Yell, the President may refuse to summon Congress; and now he did more than waver,—he opposed.<sup>13</sup>

<sup>12</sup> Don., conf., Dec. 24, 1844. Id. to Calhoun, April 24, 1845: Jameson, Calhoun Corr., 1029. Id., No. 22, May 6; No. 18, April 12, 1845.

<sup>13</sup> Don., April 1; private, July 11, 1845. Yell (to Polk, May 5, 1845: Polk Pap.) described Houston as the power behind the throne and greater than the



After this unsatisfactory struggle, Donelson returned to Washington and again interviewed the Executive; but he could not discover even now what was going on. Jones merely intimated that within sixty days he expected Mexico to offer something, and he endeavored to convey the idea that his information on the subject was derived, through Arista and Navaez, from the Mexicans themselves. Ignorance of the scheme then afoot did not matter very much, however, for the chargé employed all his strength to make the assembling of Congress unavoidable, and in this effort now had powerful assistance. Even at the seat of government he found the excitement keen on his return there, and this high state of feeling had begun to be reinforced from the nation at large. Soon public opinion was made known to Jones in ways too plain to be misunderstood, and he was forced to perceive that the only safe course for him was an immediate compliance with the will of the majority. It was proposed, for example, to issue an address, if he would not move, and call upon the friends of annexation to meet and insist that a session of Congress be held. In eastern Texas Rusk, Henderson and other leaders were so vigorously at work that Yell felt sure they would carry their section, "and no mistake;" while in the north and west Burleson, Reynolds, Lipscomb, Hays and their allies were confident they could force the Executive to act. For some time now the people had been, said Yell, "in a perfect commotion;" and some even proposed to lynch Jones, should he offer the least opposition.<sup>14</sup>

Under these circumstances Donelson felt ready to submit the proposal of the United States in a formal and final shape. In doing so, he explained the reasons, as Calhoun's instructions presented them, for selecting sections one and two of the resolution. All the Texan authorities needed to do was to express their acceptance of the proposition, he further pointed out, and summon a convention to modify suitably the constitution and the government. "This great question, then," he continued, "is in the hands of Texas. It depends upon herself whether she will be restored to the bosom of the republican family, and, taking her station with the other sisters of the confederacy, will co-operate with them in advancing the cause of free

throne. Don., No. 18, April 12, 1845. Smith, Remin., 70. (Drew out) Don. to Calhoun, April 24, 1845: Jameson, Calhoun Corr., 1029. Smith, Remin., 71. Yell to Polk, March 26, 1845: Polk Pap.

<sup>14</sup> Don., No. 21, April 29, 1845. Don. to Calhoun, April 24, 1845: Jameson, Calhoun Corr., 1029. (Safe) Wickliffe to Buch., May 21, 1845: State Dept. (Proposed) Yell to Polk, March 26, 1845: Polk Pap. (Lynch) Arrangoiz, No. 81 (res.), June 2, 1845.

government; or whether, standing aloof from them, she is to run the hazards of a separate career, at a period in the affairs of the world when the friends of a different system of government are urged by the most powerful motives to resist the extension of the republican principle." No doubt objections to the terms may be made; but these are of minor consequence, and "may well be postponed until the natural course of events removes them. If annexation should now be lost, it may never be recovered. . . . Much was conceded" on the other side "to obtain the passage of the resolution"; and it was believed that for like reasons Texas also would "overlook minor considerations."<sup>15</sup>

Jones now took the position that the United States ought to have been more liberal, but that he would interpose no obstacle to the submission of the resolution to Congress and the people; and accordingly on April 15 a proclamation was issued, calling upon the Senators and Representatives to meet at Washington-on-the-Brazos June 16, "then and there to receive such communications" as might be made to them, "and to consult and determine on such measures as in their wisdom" might be deemed expedient for the welfare of Texas. It was not zeal for annexation, however, that prompted this act, but fear of the people. Jones informed Elliot later that he had convened the Congress merely because it was plain to him that "no other means were left to him of averting bad and irreparable consequences"; and Donelson reported two weeks later that were there found a device by which literal compliance with any feature of the joint resolution could be evaded, it would be resorted to, since it was expected that the next Congress of the United States would be as ready to dispute the formal admission of Texas as the recent one had been ready to contest the passage of the resolution, and would take advantage of any such point. None the less a very great danger had been averted. The government had acted.<sup>16</sup>

Meantime public opinion had beat upon Houston also. By the twenty-third of April pro-annexation meetings had been held in

<sup>15</sup> Jones, Memor., 103. Don. to Allen, March 31, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 48. Donelson's letter, though dated March 31 and read or shown to the Texan government the next day, appears to have been retained and modified, and then formally presented about April 13. Allen acknowledged the receipt of it on the 14th: Sen. Doc. 1, 29 Cong., 1 sess., 53. To be sure, the letter as we have it in its final form is dated March 31 and seems to have been enclosed in Donelson's of April 1; but the modified letter would naturally have borne the same date and would have been substituted for the earlier draft in the files of the State department. This matter is, however, of no particular importance.

<sup>16</sup> Don., No. 18, April 12, 1845. Proclamation, April 15, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 53. Elliot to Bank., June 11, 1845: F. O., Texas, xiii. Don., No. 21, April 29, 1845.

many places, and no meeting of the opposite kind anywhere. The *Galveston News* had heard at that time from nearly twenty county gatherings, it stated; and all of these had not only desired admission to the Union on the terms proposed, but desired it immediately, deprecating delay as extremely hazardous. Said the *Houston Telegraph*: "The object of the Mexican Government is to lie and deceive us, and thus to delay measures until the opponents of Annexation can gain strength to defeat the measure. They may dupe some of our statesmen, but they will not dupe the people of Texas. Their march is onward. Their attention is fixed upon but one object, and they are determined to consummate it in spite of every obstacle." "So far as the United States and Texas are concerned," reported Consul Kennedy to the British government on April 25, "no one appears to doubt that annexation is inevitable." "No one can doubt," admitted the *National Register* at the same time, "that a large majority of our citizens are anxious for annexation, and will accept and ratify the terms now proposed."<sup>17</sup>

Reflecting again upon "the wisdom growing out of necessity," Houston very likely noted how the New Orleans *Commercial Bulletin* already held that should Texas reject our offer, the United States must occupy the region as Madison had occupied West Florida. He noted too, very probably, certain remarks in the New Orleans *Picayune*. The developments of the past few weeks, declared this important journal, prove "the absolute sway" of Elliot and Saligny over Jones; to them the doors of the cabinet are open while closed to the public; and if the people of Texas are thus to be prevented from having an opportunity to express their will, Polk will be justified in using military force to end "the tyranny of foreign dictation." The whispers of the larger ambition seem also to have been heard; and furthermore it was even represented to Houston, as to Jones, that the only "safe" course was a compliance with the will of the majority. On the fourth of May he appeared at Galveston bound for the Hermitage, there to calculate his chances for the American Presidency, Elliot surmised. "His views have undergone the change I anticipated," reported Donelson after an interview; "I consider the question settled so far as Texas is concerned." Still another peril had been averted.<sup>18</sup>

<sup>17</sup> *Houston Telegraph*, April 23, 1845. *News*, April 22, 1845. Kennedy, private, April 25, 1845. *Texas Nat. Reg.*, April 24, 1845.

<sup>18</sup> *Com. Bull.*: *London Times*, May 10, 1845. *Picayune*: *Memphis Eagle*, April 23, 1845. (Safe) Wickliffe to Buch., May 21, 1845; State Dept. Yell to

But a convention was necessary; and such a body, if not contrary to law, was clearly extra-legal, since the constitution included no provision for it; and this difficulty was the greater because the jealousies between the sections were very likely to break out over the ticklish matter of apportioning delegates, especially as the bitterly contested question whether Austin should be the capital would come before the convention. It looked as if controversies might easily arise which would afford the President a reasonable pretext for interposing or for calling a halt. Donelson himself felt much in doubt about the affair. At one time he thought the Congress ought to pass a law fixing the basis of representation, while at another he suggested to Jones that an apportionment could be made by the Executive, subject to revision by the convention itself. Then he feared that should the President assume this authority, he might be thought unwilling to allow the legislative branch a voice in the matter; and therefore he discouraged the plan. In fact, he discovered there was a great deal of sentiment against entrusting this power to Jones, and finally he recommended that the whole matter be referred to the Congress.<sup>19</sup>

Jones, however, had ideas of his own on the subject. For one thing, he expected a proposition from Mexico to lay before the people; and for another he could probably see, as Allen suggested to him, that the Congress would be composed of bitter enemies and indifferent, apologetic friends of the administration, but that by summoning a convention he could paralyze the opposition, and place himself tactically at the head of the nation. Accordingly on the fifth of May another proclamation was issued. In this the President, admitting that no department of the government had constitutional authority to take such a step, merely recommended that delegates be chosen on a certain basis of representation to meet together,

Polk, May 5, 1845: Polk Pap. Elliot to Bank., June 11, 1845: F. O., Texas, xiii. Don., No. 22, May 6, 1845. Elliot (No. 10, Jan. 26, 1846) said that Houston was so acted upon that during the critical period he remained "passive and observant." Though the danger of opposition from Houston seemed to be over, the friends of annexation did not relax their efforts to hold him. Donelson and Jackson recommended that a clerkship at Washington be given to his friend Miller (Jackson to Polk, March 11, 1845: Polk Pap., Chicago); and Polk, in reply to a letter from him dated May 26, wrote that this matter should receive attention, that Texas should be defended and liberally treated, that her territorial claims should be vigilantly protected, and that he hoped Houston would be elected to the U. S. Senate (June 6: *ib.*).

<sup>19</sup> Don. to Jones, private, April 29, 1845: State Dept., Desps. from Mins., Texas, ii. *Id.*, No. 30, June 19, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 74. Jones, Letter: *Niles*, Jan. 15, 1848, p. 308. Don., No. 19, April 16; No. 21, April 29, 1845.

and that they assemble at Austin on the fourth day of July to consider the overture of the United States "and any other proposition" which might be made "concerning the nationality of the Republic," and further, should the step be deemed wise, to adopt provisionally a new constitution, to be submitted to the people for ratification, with a view to the admission of Texas into the American Union. On learning of this action, Donelson remarked that the President and cabinet were now sufficiently committed; and thus another obstacle had safely been passed.<sup>20</sup>

Now arose, however, a delicate situation. The Texan Secretary of State represented informally to the chargé that acquiescence in the American proposition would very likely cause a Mexican attack, and asked that United States forces march to the western frontier of Texas on the acceptance of the annexation overture. Donelson replied that if Allen would submit his views officially in writing, the note would be forwarded to the American government, and he expressed the opinion that since any invasion would "certainly be aimed at the interests of the United States," the desired assistance would be cheerfully afforded. Allen thereupon drafted a note asking for military protection and sent it up from Galveston for Jones's approval. The approval was given, and the note was then formally presented.<sup>21</sup>

<sup>20</sup> Allen to Jones, May 4, 1845: Jones, Memor., 459. Proclamation, May 5: F. O., Texas, xiv. Don., No. 25, May 24, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 59.

<sup>21</sup> Don., No. 22, May 6, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 56. Allen to Don., May 19, 1845: *ib.*, 61. *Id.* to Jones, May 3, 1845: Jones, Memor., 458. Don. to Allen, May 24, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 62. Later Jones said (Memor., 53) that no protection was needed at this time; that the affair was a "trick"; that Donelson inveigled Allen, when the latter was at Galveston, into making the demand for protection. He explains that the reason Texas was in no danger was, that the preliminary articles of peace had been signed by Mexico; but at this time they had not been signed by her. He says that he assented to Allen's letter because at that date he was "not a free agent"; but if he was under compulsion it was the compulsion of the Texan people whose will he recognized as supreme. As Mexico was believed to have troops at Matamoros, a vindictive raid seemed quite possible and preparations to repel it quite proper. This was not all. May 11 Donelson wrote that a British fleet was believed to be on the way to the Gulf, and that Mexico, thus encouraged, might declare war against the United States, hoping that Texas, rather than be involved, would accept independence guaranteed by the powers. Allen's letter was handed to Donelson at New Orleans (Don., June 1, 1845: Jones, Memor., 465), so that the Secretary had had an ample opportunity to recover from any mesmeric influence exerted upon him by the American chargé. Jones was far from that influence at the time, and Donelson's letter to him on the subject (Jones, Memor., 457) contains no sign of pressure. Moreover Donelson's correspondence with the department of State gives no evidence that he urged Allen to ask for protection. Jones's second excuse—that he assented because the matter had already gone so far he could not refuse to assent—is evidently of no account, since Allen faithfully submitted the proposition to the President before taking any formal action whatever.

To all this no exception could be taken; but it was very probable that public sentiment in Texas and the southern States would urge that American troops advance beyond the Sabine in case Mexico—as seemed quite likely—should cross the Rio Grande before the formalities of accepting the proposition of the United States could be completed. This danger was, however, foreseen by Donelson, and he wrote to Buchanan, when forwarding Allen's request, that until annexation should actually have been accepted, "the greatest caution should be observed, so as to give not the slightest pretext for the assertion that either the government or the people of Texas were influenced by the presence of our armed force." Buchanan was equally alive to the danger, and this letter was crossed by one in which the Secretary of State expressed himself as follows: "I am instructed by the President to inform you that as soon as the existing government and the convention of Texas shall have accepted the terms proposed . . ., he will then conceive it to be both his right and his duty to employ the army in defending that State against the attacks of any foreign power"; and a little later he added that the United States should avoid "even the least appearance of interference with the free action of the people of Texas on the question of annexation." The dreaded contingency did not arise, but the policy decided upon by our government with reference to it is worthy to be remembered.<sup>22</sup>

Akin though different was another military difficulty. As we have observed, a hot-headed element in Texas, mainly belonging to the anti-Houston party, had always longed for war with Mexico, believing that both revenge and territory could be gained. Now that annexation seemed at hand, a still more pressing motive was added. This was a desire to assert practically the Rio Grande boundary, so as to protect the country against invasion and make it easier to carry into the Union the district between that river and the Nueces. According to Ashbel Smith there was yet another motive. It was understood that negotiations with Mexico were afoot; many partisans of annexation feared some overture might come from that country which the people would be disposed to accept; and therefore it was desired by them to precipitate hostilities. For some or all of these reasons Jones was now urged to send a military expedition to the Rio Grande and perhaps beyond it, and he was thus placed in an

<sup>22</sup> Don. to Allen, May 24, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 62. Id., No. 25, May 24, 1845: *ib.*, 59. To Don., No. 7, May 23; No. 8, June 3, 1845: *ib.*, 40, 41.

exceedingly hard predicament. His negotiations with Mexico made it impossible to assent, yet—that affair being secret—he could not explain his refusal; and as those who brought this pressure upon him with great energy were all or substantially all for annexation, there was grave danger that he would become angry and refractory on that subject.<sup>23</sup>

A number of circumstances made this prospect signally threatening. Duff Green was still in Texas, actively in favor of bringing that country into the Union and eager to extend her territory at the expense of Mexico, as we have seen; and he was distinctly *persona non grata* to Jones. Stockton, in command of an American fleet, was at Galveston; and he, a man of great energy and somewhat less discretion, seems to have been playing a zealous part of a similar kind. Yell remained in Texas, exerting himself in the cause, for about six weeks; Wickliffe, recently Tyler's Postmaster General, had been commissioned as a confidential agent to oppose the apprehended efforts of England and France, and had begun operations about the first of May; and ex-President Lamar, who had come over to the side of annexation, was now on the ground at work. Lamar belonged of course to the anti-Houston and anti-Jones party; Wickliffe, Stockton, Green and presumably Yell, falling in with that faction, saw things through their eyes; and this entire aggregation, in concert with General Sherman, the Texan commander-in-chief, exerted their utmost endeavors, it would appear, to force the wished-for campaign upon the President. They had strong arguments, too. Mexican troops were believed to be concentrating on the border, and Wickliffe felt satisfied they were coming to the Nueces. In fact a hundred men were already reported to have reached that stream, and about seven thousand to be under orders on the Rio Grande. Kinney, who owned a ranch near Corpus Christi, was in fear of an attack, and Captain Hays wrote of actually expecting a battle.<sup>24</sup>

At the end of May General Sherman and Dr. Wright, surgeon

<sup>23</sup> Smith, *Remin.*, 66. Jones, *Memor.*, 48.

<sup>24</sup> Arrangoiz, No. 40 (res.), Feb. 28, 1845. Jones, *Memor.*, 48. Don., No. 23, May 11, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 57. (Commissioned) State Dept., *Special Missions*, i., 213. Yell to Polk, May 5, 1845: Polk Pap. (Come over) Smith, *Remin.*, 79. (Eyes) Don., private, July 11, 1845, (Exerted) Smith, *Remin.*, 66; Elliot to Bank., June 11, 1845: F. O., Texas, xiii. Don. No. 25, May 24; No. 26, June 2, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 59, 64. Wickliffe to Buch., May 21, 1845: State Dept. Don., No. 27, June 4, 1845. Wickliffe to Polk, June 4, 1845: Polk Pap. Id. to Buch., June 13, 1845: State Dept. N. B. Wickliffe's reports may be found in a package endorsed: "C. A. Wickliffe, Confidential Agent to Texas to counteract the contemplated interference of Great Britain and France to prevent the annexation of Texas to the United States."

of the United States war vessel *Princeton* and—according to Jones—Stockton's secretary, visited Washington-on-the-Brazos and spent three days in discussing this matter. Jones, fearing that Sherman's popularity, the general hatred of Mexico and the other inducements might lead to the overthrow of the government should a blunt refusal be made, found it necessary to temporize; and he replied that as Congress would meet in a few days, he would rather wait until he could have its advice. This is his own account, and Donelson's reports give hints of the same complexion. Wickliffe indicated how closely the government were pressed by writing that he himself was going to urge Hays to drive the Mexicans from the region west of the Nueces; and Sherman gave a report of his interview with the Executive, that brought out in strong colors the embarrassment in which the President found himself involved.<sup>25</sup>

Jones admitted that Donelson held aloof from this affair; and in fact the American chargé cautioned Stockton, telling him that it was highly important the squadron should "so act as not to alter the general character of the defence" which the United States intended to interpose for Texas,—that is to say, she was to be defended after, but not before, the annexation proposal should have been accepted; and instead of advocating an attack upon Mexico, he took the ground that it would be preferable to let the hostilities be commenced by her. No less correct was the conduct of our Executive. Buchanan wrote to Donelson that the government would "studiously refrain from all acts of hostility" towards Mexico unless these should become "absolutely necessary in self-defence," and that orders to this effect were given Stockton. Indeed, as a general policy, the Secretary of State urged that until a convention of the people should formally accept the American terms, any invasion ought to be repelled by the Texans themselves. Consequently, though Jones's resentment against Wickliffe and Stockton was extreme, he could not hold the United States responsible for their proceedings; and Donelson was able to report that however little the measures of these gentlemen were "calculated to conciliate the support of the Government," no harm had actually been done. One more rock had now been left behind.<sup>26</sup>

<sup>25</sup> Jones, Memor., 48-50. Don., private, July 11, 1845. Wickliffe to Polk, June 3, 4, 1845: Polk Pap.

<sup>26</sup> Jones, Memor., 49, 96. Don. to Stockton, June 22, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 86. Id., No. 32, July 2, 1845: ib., 91. To Don., No. 8, June 3; No. 9, June 15, 1845: ib., 41, 42. Jones, Memor., 96, 50. Don., private, July 11, 1845.



At this juncture Elliot returned from Mexico with the acceptance of the Texan overture, set out for the capital on the first day of June, and hurried on by day and by night without pausing for rest. There were two ways in which disaster to the cause of annexation was now threatened. In the first place, the Captain gave it out strongly that hostilities would ensue should the American proposition be accepted, and even announced that should such action be taken, Mexico would declare war against the United States as soon as the vessel which had brought him north should return to Vera Cruz. Though in extreme haste, he took time on his way to assure General Sherman that peace would instantly come to an end, that the United States would blockade the Mexican ports, that England would refuse to recognize the blockade, that a twenty years war would follow, and that he should advise his friends to leave the country. Right and left he talked in this manner, and it was anticipated that on finding the preliminary conditions of peace unwelcome, he would send an express to the Mexican general, and bring his army across the Rio Grande before the American proposition could be accepted. Five days after Elliot landed at Galveston even our chargé regarded war as inevitable. This was certainly a very grave matter. In such a contest, not only would the cotton of Texas have been unable to find a market, but her soil would most probably have become the arena of contending armies, and all she possessed would have been endangered.<sup>27</sup>

But the chargé was prepared for this emergency. Elliot, before his departure for Vera Cruz, had told him as well as others that he was going to the United States; and Donelson, partly to keep track of him and partly to learn promptly what occurred at Mexico in consequence of his despatches to Bankhead, had taken the steamer for New Orleans. At Iberville, Louisiana, on May 22 he saw it announced in the *Picayune* of the day before that the British minister had gone south instead of north, and very soon this astonishing news was confirmed. In fact the proceedings of the Mexican Congress regarding the overture from Texas were reported in the New Orleans paper, and so Donelson had time to adapt his policy to the circumstances.<sup>28</sup>

<sup>27</sup> Don., No. 26, June 2; No. 28, June 11; No. 27, June 4, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 64, 68, 66. Elliot, No. 16 (P. S.), May 31, 1845; No. 16, Feb. 16, 1846. Wickliffe to Buch., April [June] 3, 1845: State Dept. Id. to Polk, June 4, 1845: Polk Pap.

<sup>28</sup> Don. to Jackson, May 24, 1845: Jackson Pap. N. Orl. *Picayune*, May 21, 24, 1845. Don., No. 24, May 22, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 58.

On the one hand he planned to rouse the spirit of the Texans. To Allen he wrote, and to many others he undoubtedly said: "If Texas cannot be allowed to enjoy the blessings of peace and independence, as one of the sovereign members of the American Union, without asking permission of Mexico or of the monarchies of Europe, the fact is worth volumes of argument in explaining the duty of those who are struggling to maintain a system of government founded on the will and controlled by the authority of the people." After the measure of annexation has been carefully matured and is acceptable to practically all of her people, she is told she must abandon it or take the chances of war. "Thus is it made difficult for Texas, even had her judgment led her to reject the overture for her admission into the federal Union, to accept the propositions from Mexico, without incurring the imputation of being awed by an armed force, kept avowedly upon her frontier to commence hostilities, if her decision should be different from that prescribed for her. Nor is this difficulty lessened because it has connected with it the kind offices of the governments of France and Great Britain. Viewed in its best aspect, it shows that a shackle upon the present and prospective relations of Texas, in defiance of her sovereign will, is resolved upon by others, not to satisfy Mexico, because she, in recognising the independence of Texas, admits her inability to place this restraint upon it, but to satisfy other and different interests." France and England know that she is far better able to maintain her independence now than earlier, and they are aiming a blow, not only at the equal rights of nations, but at the very principle of self-government; for if Mexico, evidently unable to coerce Texas alone, now hurls defiance at both Texas and the United States, it must be that she counts upon the aid of these great European powers. Under such circumstances the determination of Texas to join the United States is worthy of a free people. And no doubt Donelson also said, as he wrote to Jackson: "We have at last the fullest proof of the direct interference of the British Government with the annexation question . . . disguise was only assumed [by Aberdeen, Pakenham and Elliot] to give the greater force to their machinations against both Texas & the United States. But Texas will be true to herself—she will scorn British dictation."<sup>29</sup>

At the same time the chargé endeavored to neutralize the effects of Elliot's menaces. When Secretary of State Allen, looking to

<sup>29</sup> Don. to Allen, June 11, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 69. Id. to Jackson, May 24, 1845: Jackson Pap.

the danger of a Mexican raid, particularly against the place where the convention was to assemble, asked for immediate protection, Donelson wrote to Taylor, commanding the American forces in the Southwest, that the emergency justified him in sending dragoons to San Antonio and infantry to Corpus Christi. In reality Taylor did not enter Texas until after the convention had acted; but the fact, conveyed to Allen and no doubt widely made known, that such a letter had been written, must have tended strongly to reassure the public.<sup>30</sup>

The other danger growing out of Elliot's action was that in view of the Mexican concessions, the British and French support of them, and the unsatisfactory terms of Brown's resolution, all the advocates of independence would rally, a considerable number of citizens—the conservative, the timid, and those who had merely pretended to favor annexation because they found the crowd going that way—would join them, and a serious division in public sentiment would be produced. Elliot and Saligny had often reported that an important element of the population desired a national career, and we have found ample reasons to believe that such was the case. Pakenham had understood at the end of March that a gentleman was then sailing for England to lay before the British government a plan to defeat annexation "with the consent of parties of power and influence in Texas." On the eve of setting out for Mexico Elliot had written to his government that should recognized independence be found "authentically" to be within reach, the cautious friends of that policy would rally to it "with courage and confidence." Later he expressed the opinion that had the ex-President come out decisively against the American proposal, "supported as he would have been," the situation at this time might have been different; and the reasonableness of this opinion was confirmed by Donelson's anxiety on that very point. His cousin, associated with him in the secret journey to Mexico, felt "no doubt" that in view of the hard terms of the United States and the offer of Mexican recognition the next Texan Congress would favor independence. Yell admitted that at Galveston the annexationists were a minority; we have seen evidence at various times that the partisans of nationality had money, arguments and influence; and we have just observed in the Houston

<sup>30</sup> Allen to Don., June 26, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 92. Don. to Allen, June 30, 1845: *ib.*, 94. Taylor to Adj. Gen., July 8, 1845: Ho. Ex. Doc. 18, 30 Cong., 1 sess., p. 4. Donelson probably saw that Taylor would not be able, even if he should wish, to place troops in Texas before the date on which it was practically certain the convention would act.

*Telegraph* a hint of their plausible scheme. What might not this faction accomplish under the existing circumstances, if sufficiently emboldened to make a firm stand?<sup>31</sup>

But again Donelson was prepared. As soon as he heard of Elliot's manœuvre he argued that the willingness of Mexico to recognize Texas was to be considered "nothing but a *ruse* on the part of the British government," and announced his belief that the people would be more unanimous than ever for annexation as against English interference with "a question truly American." In this he was supported to some extent by Houston, who said that the circumstances of the recent negotiation with Mexico would expose it to denunciation as an unwise interposition of the British authorities. He then proceeded to outflank his enemy. Had no American overture been made, he suggested, the old enemy of Texas would now be threatening her with war and the British agent would be preparing the way for Aberdeen's abolition scheme; but as it is, Elliot goes in disguise to Mexico, and at his bidding that country sends word she will treat with her rebellious daughter as a sovereign nation. "It would be mockery," he insisted, "to say that a power so potent as this has suddenly been acquired, or could not, at any time, have terminated the contest between Texas and Mexico; and its failure to do so, can only be accounted for on the supposition that it regarded this contest as an element in the consummation of a policy essential to the interests of Great Britain, however disastrous the contest may have been" to the belligerents themselves.<sup>32</sup>

But now a very great peril arose in exactly the opposite quarter. After Elliot's return Jones issued another proclamation. This recited that in March the representatives of England and France had made a fresh offer of their assistance for the settlement of the difficulties with the mother-country on the basis of independence; that the Texan Executive had specified certain conditions preliminary to a treaty of peace; that the conditions had been accepted by Mexico; and that pending action in this matter by the people of Texas hostilities against that country should cease. Upon this arose a storm indeed. All the friends of annexation doubtless took the same view of Jones's action as Donelson did: that he had exerted himself to the utmost to create an issue on which a majority of the

<sup>31</sup> Pak., March 29, 1845. Elliot, secret, April 2, 1845; No. 10, Jan. 26, 1846. G. Elliot to Adm. Austen, April 30, 1845; Brit. Admty. Secy., "In Letters," Bundle 5,549. Yell to Polk, March 26, 1845; Polk Pap.

<sup>32</sup> Don., No. 24, May 22; No. 25, May 24; No. 26, June 2, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 58, 59, 64.

people would unite against the American proposition. The announcement of a truce capped the climax. On the one hand, it dealt a fatal blow to the scheme of asserting the Rio Grande boundary; and on the other it cast doubt once more upon the genuineness of Texan nationality, since it acknowledged that the war still continued. It thus offended the patriotic sentiment of the people, angered all who desired to invade Mexico, and in particular incensed the partisans of annexation.<sup>33</sup>

Wickliffe's report, rather than Donelson's cautious despatch, reveals the effect of Jones's proclamation upon the Texans. It came upon them, he said, "like a peal of Thunder in a clear skie," more than confirming all their suspicions of "an arrangement between him and others on the one part and the British Minister on the other" to defeat annexation, and apparently proving that only the will of the people could prevent "the solemnization of the unholy bonds of wedlock" between their country and Great Britain; and the President's course was condemned in unmeasured terms, said the American agent. "We are informed," stated the editors of the *New Orleans Courier*, "that the feelings of the whole population are roused to the highest pitch by the treacherous conduct of Jones, and his intention, if left to himself, to throw the republic into the arms of England." As for the proposed Mexican treaty, admitted Ashbel Smith, the people of Texas "appeared frantic" against it. Naturally the leaders of the anti-administration party saw their opportunity, and inflamed the public as much as possible; and the Mexican consul at New Orleans decided there would probably be a revolution. Now should the authorities be overthrown, the whole plan of annexa-

<sup>33</sup> Proclamation, June 4, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 81. Don., No. 24, May 22, 1845. (Blow) Elliot to Bank., June 11, 1845: F. O., Texas, xiii. Wickliffe to Buch., June 13, 1845: State Dept. Jones's defence was, as Allen said, that it was the duty of the Executive to give the people a choice between independence and annexation (Allen to Don., July 28, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 112). But why a choice was necessary when the preference of the great majority for annexation was recognized on all hands could not be made clear, and therefore a desire to win them away from their preference appeared to be revealed. The proclamation was issued no doubt because Jones had given a pledge to take that step. Very likely, too, he feared to offend Elliot and Saligny, lest the tenor of the language used to those gentlemen should be made known. Moreover, even had a choice been desired by the people, the foreign intervention and the secret method by which it had been secured, would have thrown a deep hue of suspicion upon Jones's conduct. It fact Jones, when defending himself later on the ground that he was compelled to place the alternatives before the people in order to preserve his "plighted faith toward all parties," admitted that he showed or seemed to show some sympathy with England and France. At the same time he stated that he knew the people would prefer annexation yet that in his own judgment "it was their interest to maintain their separate existence" (Jones, Memor., 66).

tion adopted by the United States with such immense difficulty might fall to the ground, for the "existing government"—the government contemplated by Brown's resolution—would be unable to co-operate further. All the civil and military officers would lose their places, and would naturally feel incensed against the promoters of the trouble; everything would be in confusion; and finally, should the United States Congress then fail to agree promptly about admitting Texas, her position would be extremely painful, and the cause of annexation would probably be lost. On the other hand, were a revolution to be undertaken and fail, Jones would be likely to exert his utmost power against the American proposal.<sup>84</sup>

In this emergency Donelson resolved that he would not "place the President in direct opposition to the Congress" unless the reasons for so doing should prove to be "imperative," and he informed Buchanan that he should "maintain such relations with the Executive" as would "furnish it with no pretext for exerting its Constitutional power to thwart the consummation of the measure of annexation." In pursuance of this policy and in order to associate Jones in a sense with the United States—as well as to satisfy him that the American chargé was placing the best construction possible upon his course—Donelson was "much in the habit" of reading to him the despatches forwarded to Buchanan. He now went farther and wrote very strongly to Henderson against the project of overthrowing the government, clearly pointing out the dangers it involved. Even if the President has endeavored to defeat the great measure, continued the chargé, yet he has summoned the Congress and the convention, and so far has kept his pledges. "Freedom of opinion is a vital Republican principle"; and a chief magistrate who executes the will of the people, as Jones appears willing to do, is called "a patriot and true Republican." Instead of striking at the Executive, therefore, it would be better to rejoice that his action, while not really injurious to the cause, brings "into bolder relief the beauties of the Republican principle which fears not error of opinion when truth is free to expose it." Instead of complaining because other propositions are submitted at the same time as that of the

<sup>84</sup> Wickliffe to Buch., June 13, 1845: State Dept. *Courier*, June 24, 1845. Smith, *Remin.*, 72. Don., No. 30, June 19, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 74. Arrangoiz, No. 74 (res.), May 21, 1845. Don. to Hend., June 30, 1845: State Dept., Desps. from Mins., Texas, ii. Some would have held the revolutionary government to be the "existing government," but—as Donelson intimated to Henderson—enough might have taken the other view to prevent favorable final action by the American Congress.

United States, one should be glad that all the means of forming an enlightened judgment are given to the people. Instead of punishing the few opposed to the American overture, the convention should bury all past differences, both personal and political, and act harmoniously.<sup>35</sup>

Elliot for his part reasoned that the humor of the people was variable, and that reflection might bring them back to sounder opinions. Their present "feverish excitement in favour of annexation," he believed, was "provoked and kept alive by extraneous agency." The action of Mexico, though tardy, had bettered her position materially, he felt; and he was encouraged further both by Jones's assurance that great if not insuperable difficulties in the way of joining the United States existed still both in that country and in Texas, and by the President's view that like all other fevers this rage for annexation must run its course. An attack of illness befell him, however; and on the ground that the convention ought not to be countenanced by the presence of a foreign representative, he decided to go north for the benefit of his health. His absence from the country removed a source of irritation, and he thus assisted Donelson to save the government.<sup>36</sup>

At the appointed time Congress met. The capital was merely a rude town of five or six thousand inhabitants, living mostly in log cabins. The principal hotel consisted of a bar-room, a long unplastered dining-room, a kitchen, and above these apartments an unfinished garret, the general dormitory, where the constructive art of the period could be studied in such dim light as filtered through the dingy glass of one small window. The hall of the Representatives was an unfinished loft over a drinking-place in a small frame building, occupied during the recesses of Congress by the Treasury department, and at such times divided by screens of unbleached muslin into sections labelled with the pen of a clerk, "Treasurer's Office," "Auditor's Office" and the like. The Senate used a loft over a grocery in an old unpainted building. Its chamber was only about fifteen by twenty feet in size; but, as became its greater dignity, the room had a rough board ceiling, coarsely white-washed. Three dollars a week during the session was the rent paid for this hall of

<sup>35</sup> Don., No. 28, June 11, 1845. (Habit) Jones, Memor., 586. Don. to Hend., June 30, 1845: State Dept., Desps. from Mins., Texas, ii. Id. to Allen, June 11, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 69.

<sup>36</sup> Elliot, No. 16 (P. S.), May 31, 1845. Id. to Bank., June 11, 1845: F. O., Texas, xiii. Id., No. 17, June 2 [12?], 1845. Id. to Bank., private, June 11, 1845: F. O., Texas, xiii. Id., No. 18, June 15, 1845. Elliot's departure from Texas was condemned by his government.

state; and as some of the members—wrapped in the blankets which all travellers carried—passed their hours of sleep on mattresses there, closely attended by fleas, the price does not seem unreasonable. The War department occupied a log cabin that boasted one glass window, and the State department a frame building merely clapboarded, through whose innumerable crevices the wind freely sifted. It was indeed an unpretending seat of government; but the circumstances and the men gave it dignity, and with good reason the eyes of five nations were now riveted upon it.<sup>87</sup>

Jones submitted the matter of annexation to Congress at once, explaining that the legislative branch had been convoked in order that "the existing government" might authorize the acceptance of the American proposition. At the same time he stated that conditions preliminary to a treaty of peace with Mexico, recognizing the independence of Texas, had been signed and would be laid before the Senate, which was done two days later. As for the Executive, he promised in his Message that he would carry out the will of the nation, whatever that might be. The work of the Congress had been marked out clearly by Donelson, who at this time was in reality almost a dictator so far as the matter of annexation was concerned. All it needed to do, he said, was to accept the American resolution and sanction the calling of the convention; and this was accomplished through a joint resolution adopted unanimously on the eighteenth. By a similar vote the projected treaty with Mexico was promptly rejected by the Senate.<sup>88</sup>

On the fourth of July assembled the convention. At this point several mischances were possible, the greatest of which, perhaps, was the danger of a conditional acceptance of the American proposition. The feeling that the terms offered Texas were not what they should

<sup>87</sup> *Providence Journal: Nat. Intell.*, June 17, 1845.

<sup>88</sup> Jones to Cong., June 16: Sen. Doc. 1, 29 Cong., 1 sess., 74. Id. to Senate, June 18: *ib.*, 87. Don. to Allen, June 13, 1845: *ib.*, 76. Joint Resolution: F. O., Texas, xiv. Don., No. 31, June 23, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 83. The haste of Congress, argued Elliot (No. 19, July 3, 1845), showed that discussion was dreaded; and he represented that men opposed to annexation joined in its action either through fear of violence or because they saw that opposition was hopeless. Probably some basis for these opinions existed. Discussion, while no doubt it would have been powerless to stay the tide, might have destroyed perfect harmony, and it can hardly be supposed that every member of Congress was a hearty annexationist. But the substantial unanimity of that body in favor of the American overture cannot be denied. On another point also its action was highly satisfactory. The proposition to overthrow the existing government reappeared on the last day of the session, but it failed to command the necessary support (Elliot, No. 21, July 30, 1845). The American chargé had fallen sick of the fever, but was convalescing when the convention met (To Buch., July 2, 1845).



have been was very strong. The United States had not taken a firm stand for all of the territory she claimed, and her debt had not been assumed. The boundary question in particular signified a vast deal to many of the delegates, and the popular sentiment had an avowed champion in Mayfield, formerly Secretary of State, a strong and impetuous man. It was proposed, therefore, to adopt the American resolution with some sort of amendment covering these points; and it was also suggested to divide Texas into several States at once, in order to make certain her political importance in the Union. The second proposition was not very alarming, but the other had a different look.<sup>39</sup>

In accordance with his instructions, Donelson urged that time and experience would point out any needed corrections of the terms, and that it would be better to wait until this clearer view should be obtained, until prejudice and party excitement should have passed away, and until Texas herself should be represented in the American government. As for the assumption of the debt, he said, that "would have been setting up a dangerous precedent, not warranted in the judgment of a large portion of Congress, by the constitution of the United States." Suggestions regarding this and other matters could be offered by the convention; but were the acceptance of the resolution to be made conditional on the adoption by the American Congress of any definite proposition regarding such debated subjects, the question of annexation might be re-opened there, and the consequence might be delay; whereas even the opponents of the measure would not be illiberal, after the actual acquisition of so valuable a territory, in dealing with Texas.<sup>40</sup>

To Mayfield the *chargé* addressed himself directly. "I feel that I may safely say to you as a private citizen," he wrote, "that you may look with confidence to Mr. Polk as ready to maintain the claim to the Rio Grande; and that no expression from Texas is necessary to stimulate his exertions." The United States will have not only her claim but other grounds as well, and may be depended upon

<sup>39</sup> Don. to Allen, June 13, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 76. Don., private, July 11, 1845 (accompanied by Id. to Mayfield, July 11). Elliot, August 12, 1845.

<sup>40</sup> Don. to Allen, June 13, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 76. Don. also hinted that the U. S. would desire to extend their land system and Indian policy to Texas and would pay for the privilege of doing so. June 15, Polk wrote to Don. urging that the convention accept the American proposal in general terms on the first day of its session, announcing that he would then defend Texas as a part of the Union, and promising to recommend liberal treatment of her (Polk Pap., Chicago). This letter was sent by the hand of Gen. Besançon, but probably it did not reach its destination by July 4.

to make the most of them. I shall state in a public despatch that the Texan government and convention would have asserted the right and ability of their country to maintain that boundary had they not, relying fully on the justice and friendship of the American authorities, foreborne purposely to do so, in order that there might be no pretext for saying that Texas was unwilling to leave the matter to discussion and negotiation. In particular, the convention should avoid every appearance of expecting the United States to take possession of the territory claimed but not yet occupied, for such a move would be deemed an aggression against Mexico, and would be inconsistent, not only with Brown's resolution, but with the course heretofore pursued by Texas. It might reopen the whole question in the United States, and might enable foreigners to place that country in the wrong. To such representations Mayfield succumbed.<sup>41</sup>

Another danger arose from the presence of false friends in the convention, plotting to insert something in the new constitution that would not be acceptable to the American Congress. As Jones himself informed Elliot, a considerable number of delegates, ostensibly favorable to annexation, were "steadily determined" to defeat the measure in this way, and Allen confirmed these revelations. Moreover, admitted the Secretary of State, "matters of local interest and subjects of irreconcilable discord, incentives to partisanship, intrigue and disorganization," were if possible to be pressed upon the convention.<sup>42</sup>

But these devices, like all others to outwit Donelson and thwart the will of the majority, proved in vain. Care had been taken in almost every case to select natives of the United States as delegates. From a printed list of the members it appears that all but two whose birthplaces were set down had been born under the American constitution. Of these two, one first saw the light at San Antonio and the other, though an Englishman, had lived in New York; while of the ten whose birthplaces were not given one had been born in Virginia and one in Tennessee. Well aware of their danger, the friends of annexation were careful also to avert dissension. On the day before the session was to open, some two thirds of the delegates were in Austin; an informal meeting took place in the afternoon; and a committee of fifteen was appointed to draw up an ordinance

<sup>41</sup> Don. to Mayfield, July 11, 1845: State Dept., Desps. from Mins., Texas, ii. *Id.*, private, July 11, 1845.

<sup>42</sup> Elliot to Bank., private, June 11, 1845: F. O., Texas, xiii. Allen to Kaufman, July 10, 1845: F. O., Texas, xvi.

expressing the assent of the people of Texas to the joint resolution of the American Congress. "In the evening," said a correspondent of the *Houston Telegraph*, "the committee met at eight o'clock and continued in session until nearly midnight. It was truly pleasing to notice the harmony and forbearance that all the members displayed, and the assiduity with which they labored until a suitable instrument was drafted."<sup>43</sup>

The next morning at eight o'clock the convention formally assembled. General Rusk was nominated for President, and—amazing fact—no opposition was made to his election. On taking the chair he said: "Our duties here, although important, are plain and easy of performance . . . we have one grand object in view, and that is to enter the great American Confederacy with becoming dignity and self-respect. Let us, then, lay aside all minor considerations, and avoid all subjects calculated to divide us in opinion." An earnest prayer was offered by the Rev. Chauncey Richardson, and "for several minutes after he closed, the whole assembly seemed to be absorbed in silent devotion." Then, after the election of a secretary, a committee of fifteen was appointed to prepare an ordinance of assent, and "in a few minutes" these gentlemen were somehow able to draw, agree upon and bring in an instrument declaring the acceptance of the proposition of the United States by the people of Texas. On the question of adopting this report, Bache of Galveston voted in the negative; but he stood alone on that side, and he like the rest signed the ordinance. Upon this, all the spectators "manifested the most enthusiastic joy"; and the delegates, after voting to wear crape a month in memory of Andrew Jackson, adjourned for the day.<sup>44</sup>

The convention was determined, said Donelson, to introduce nothing questionable or novel in the new constitution, and in this spirit its work proceeded. At the end of August its task was completed, and on the second Monday of October the people voted whether to adopt the constitution and accept the American proposal. By this time very likely a certain ebb of feeling had set in, and certainly a new cause of dissatisfaction with the government of the United States had arisen. It had been supposed by many Texans that after annexation the merchandise then in the country could be

<sup>43</sup> (List) F. O., Texas, xvi. *Houston Telegraph*: ib., xiv.

<sup>44</sup> *Telegraph*: Note 43. Ordinance sent to Don. by Rusk, July 5, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 98. The ordinance may be presumed to have been the one drafted the previous evening.

sent north free of duty, and therefore dealers had arranged to import large quantities under the existing low tariff. In fact the government itself, in order to increase its revenue, had encouraged their policy. The American Secretary of Treasury, however, took a view of the case which did not favor this business, and his decision roused no enthusiasm among the Texans. There was complaint also because—in accordance with the precedent of 1836—the voting had to be done *viva voce*, and in particular those who desired to count against annexation without appearing to do so naturally felt scandalized. Many doubtless refrained from voting simply because they considered the result certain. The consequence was a smaller affirmative majority than might perhaps have been expected; but had the advocates of independence made a strong showing, Jones would probably have hastened to publish the fact, and Elliot stated in the January following that the vote had not been made known. At all events it was announced on the tenth of November that the new constitution and the American proposal had been accepted, and the people were called upon to hold elections the next month for the choice of a State administration. So far as Texas was concerned, the battle had ended.<sup>45</sup>

This result Governor Yell attributed to Donelson, "our worthy and talented chargé d'Affaires," and he appears to have had substantial reasons for his opinion. Not only did the chargé stand in peculiar relations with Houston, but he was in touch with the members of the Congress and convention, understood the temper of the people, had full knowledge regarding the "various cliques and factions," and possessed all the personal qualifications demanded by his peculiar task. In particular, Yell gave him the credit of placing the Executive in the right attitude with extraordinary address, and also of putting others in a position from which they were willing to retire after the President decided to summon the Congress. By this the Governor appears to have meant that Donel-

<sup>45</sup> Don., No. 33, July 6, 1845: Sen. Doc. 1, 29 Cong., 1 sess., 96. (Constitution) Ho. Ex. Doc. 16, 29 Cong., 1 sess. Jones, Proclamation, Aug. 28: F. O., Texas, xiv. Elliot, Aug. 12, 1845. Kennedy. No. 23, Sept. 6, 1845. Jack to Pres. and Cabinet of Texas, May 27, 1836: N. Orl. *Com. Bull.*, Aug. 18, 1836. Elliot, No. 31, Nov. 14, 1845. Id., No. 6, Jan. 18; No. 7, Jan. 20, 1846. Proclamation: F. O., Texas, xiv. Garrison (Westward Extension, 155) says there were "only a few dissenting votes," while Elliot reported (Jan. 20) that at least two-thirds of the people refrained from voting or voted No. The N. Orl. *Picayune* of Oct. 25, 1845, stated that at Galveston the vote was 270 vs. 121, and at Houston 241 vs. 44. That in the face of certain defeat so large a percentage stood for the negative is proof that the evidence regarding a national sentiment had a substantial basis.

son knew how to impress upon Jones the strictly representative nature of his office, how to marshal the friends of annexation in a firm and menacing array, and finally—after the desired effect had been produced—how to dissolve the phalanx without the occurrence of a disturbing event; and the chargé's own despatches, though extremely guarded, seem to confirm this understanding of the matter.<sup>46</sup>

<sup>46</sup> Yell to Polk, May 5, 1845: Polk Pap.

## XXI

### ANNEXATION IS CONSUMMATED

AFTER sending to Elliot the instructions of January 23, 1845, Aberdeen continued to interest himself in the Texans. About a fortnight later he not only tried to make independence attractive by intimating that a reduction of the duty on their cotton was possible, but suggested on the other hand that England and France would not "continue their exertions [at Mexico] in behalf of people who refused to profit by them," and even that it might be a just cause of war to abrogate existing treaties by joining the United States. In April the alarm in Mexico and the dissatisfaction in Texas caused by the passage of Brown's resolution by the House of Representatives appeared to offer a new ground for hope, and the two powers instructed their diplomatic agents to exert themselves anew, though in the most pacific manner as regarded the Americans, to obtain recognition from the one country and ensure the independence of the other.<sup>1</sup>

News of the energetic measures adopted by Elliot and Saligny at the end of March caused a second flutter of cheerfulness, and Bankhead was then directed not only to urge in the most pressing terms that Texas be recognized "without a moment's delay," but to announce that should this advice be neglected, England and France would consider themselves "entirely absolved from all further

<sup>1</sup> See General Note, p. 1. The author prepared a much fuller chapter, but as many of the details were not practically important and the volume is large, he concluded to condense it. Terrell, No. 3, Feb. 13, 1845. *Id.* to Jones, Feb. 13, 1845; Jones, Memor., 422. Bank., No. 19, March 1, 1845. To Cowley, No. 46, April 15, 1845. Aberdeen proposed to stand forward "at this moment" not so much for British interests as for those of Mexico and Texas, and he added: "This position as it renders them [the British ministry] more independent of circumstances, will make their task more easy of accomplishment, by enabling them, in conjunction with France, to address the Mexican Government, in the tone of disinterested friendship and admonition"; which would seem to imply that previously this had not been the attitude of Great Britain. Cowley, No. 184, April 28, 1845. To Saligny, No. 4, April 27, 1845; F. O., Texas, xxi. To Bank., No. 15, May 1, 1845. To Elliot, Nos. 6 and 7, May 3, 1845. At this time Aberdeen at first thought of undertaking to settle the differences between Mexico and Texas on the express condition that Texas pledge herself to reject annexation. Terrell, however, told him that he thought she would reject such a condition yet would refuse annexation if recognized (Terrell, No. 7, May 9, 1845). It was therefore arranged between England and France to offer mediation without requiring a positive pledge.

interference in the affairs of Mexico with reference to the United States." This, however, was as far as even Great Britain would now go. Two days later Ashbel Smith called upon Addington, the Under Secretary of Foreign Affairs, and learned that the government, regarding annexation as practically inevitable, would neither exert themselves further to prevent it nor take exception to it afterwards. Accordingly the Texan envoy reported that a longer stay in Europe seemed unnecessary, and within a brief period he was recalled. At Paris Garro, the Mexican representative, made very determined and repeated efforts, but he could elicit no promise whatever of armed intervention. Guizot intimated plainly that "the present circumstances and the *difficulties* growing out of the Parliamentary system" stood in the way, and this explanation threw a strong light on the earlier feeling and policy of Louis Philippe's government. Thus England and France retired from the field.<sup>2</sup> Bancroft Lib

Mexico also retired, but with a flourish of trumpets. About the middle of July, 1845, learning that the American proposal was favored by Texas, her government issued a circular proclaiming that the nation had complied with the requirements of civilization and humanity in listening to the Texan overture and must now defend its rights. At the same time they requested the Governors of States to send on their full quotas of men for the army, and announced that a declaration of war against the United States would immediately be proposed to Congress. As the month ended, word came from the British consul at Galveston that the convention had acted. Naturally the chagrin and indignation of the Mexicans were extreme; but the dictates of prudence could not be wholly ignored, and Bankhead was constantly at work to keep the ministers within bounds. As the result, they contented themselves with the view that war had already been declared by this country in the act of annexing Texas. Cuevas was eager to catch the least suggestion of British aid, but Bankhead would give no hint of such a thing; and the administration, compelled to rely upon its own resources, concluded to satisfy itself by ordering to the northern frontier for the sake of appearances 18,000 more or less fictitious men.<sup>3</sup>

<sup>2</sup> To Bank, No. 18, May 31, 1845. These instructions indicate that the concert of England and France in this business still continued. Smith, No. 2, June 3, 1845. To Smith, June 26, 1845. Garro, No. 14 (res.), June 17; No. 15 (res.), June 18; No. 16 (res.), June 21, 1845.

<sup>3</sup> *Diario*, July 17, 1845. *Nat. Intell.*, Aug. 16, 1845. Bank., No. 78, July 30, 1845.

In the United States, besides differences of view on the question of defending our new acquisition before it became legally a part of the Union, an inevitable diplomatic embarrassment arose. Colonel Kaufman was appointed Texan chargé to this country, and he demanded to be received as such on the ground that he represented an independent nation. No doubt the American Executive had the most cordial desire to comply with his wishes, and the Secretary of State was in favor of doing so. Polk said, however, that as the convention had accepted the annexation proposal, Texas had really become a part of the United States, and for that reason Donelson had been recalled; that with few exceptions the people and press concurred in this view; that upon it rested the propriety of sending American troops and vessels to stand on guard against Mexico; and that it was highly important not to give the opposition a handle by acting inconsistently. In short, admitted Kaufman himself, "a stern political necessity" compelled the administration to reject his claim, and finally Allen, the Texan Secretary of State, instructed him to return home.<sup>4</sup>

Another flurry was created in the United States by the talk of rescinding the annexation measure. In this matter Horace Greeley was one of the most active. Scarcely had the resolution been passed, when the New York *Tribune* announced that nothing had not yet been decided. "We say, Resist the consummation of the Annexation scheme to the last," it exclaimed; and let the free States send true men to the next Congress. Indeed, it went so far as to proclaim that by their course in this affair the Americans had declared themselves "the enemies of the civilized world," and it called loudly upon both Mexico and England to resist by force. The project of somehow upsetting what had been done simmered warmly in certain quarters, and in the following November the chairman of an anti-annexation meeting said in Boston: We do not admit that the question is decided; we dispute the jurisdiction of Congress; and we deny that Congress has even completed what it undertook to do. Meanwhile Senator Haywood of North Carolina, thinking Polk over-confident, invited attention to the fact that twenty-four of his colleagues were committed before the public against the

<sup>4</sup>Kaufman to Buch., Sept. 23, 1845: *Tex. Arch.* Kaufman being ill, Lee (secretary of the legation) was instructed to act for him. Allen to Lee, Aug. 2, 1845: *ib.* Polk, *Diary*, i., 17-20. Lee to Jones, Sept. 6, 8, 1845: Jones, *Memor.*, 485, 490. Kaufman to Jones, Nov. 3, 1845: *ib.*, 503. Allen to Kaufman, Oct. 15, 1845: *Tex. Arch.*



method of annexing Texas that had been adopted by the Executive, and pointed out that with three new converts to their doctrine they would be able to prevent the final success of the measure.<sup>5</sup>

But the plan of resuming the struggle met with no general favor. Greeley himself made light of it afterwards. "There were the usual editorial thunderings," he said; "perhaps a few sermons, and less than half-a-dozen rather thinly-attended meetings, mainly in Massachusetts, whereat ominous whispers may have been heard, that, if things were to go on in this way much longer, the Union would, or should, be dissolved." The *Cincinnati Gazette*, for example, pronounced the opposition highly improper, saying that while its editors had opposed annexation, they now realized that the public faith had been pledged. Fair-minded men could hardly feel otherwise. Even at Boston this opinion prevailed. The *Advertiser*, for example, deprecated the movement against receiving Texas; and Nathan Appleton published a letter in this sense addressed to Adams, Palfrey and Sumner. Van Buren assisted to bring the Locofocos to the same position; Whigs began to say that after all Texas was likely to support their party, and therefore a continuance of the agitation would be unwise,—an illustration of the political scheming which had been masquerading under loftier titles all the while; and no doubt a great number of persons who had felt compelled to oppose Tyler's project, now thankfully saw it nearing consummation.<sup>6</sup>

As for the merits of the question, a decent regard for consistency kept some in line for a while longer and conviction did the same for others, but the expediency and even inevitableness of annexation had their effect, and many soon found excuses for breaking away. By the middle of November the *Philadelphia North American*, which had labored strenuously against the measure, said: "It is now plain that the American people have, all along, desired the acquisition of Texas. Nature seems to have included it within our borders; it was believed to have been disintegrated from our territory, and to regain it was only to give the nation its own; besides, the monopoly of an article of necessity to the world, is the most certain source of

<sup>5</sup> *N. Y. Tribune*, March 8, 13, 1, 1845. *Niles*, April 12, 1845, p. 89. Efforts in Mass. to prevent ann.: Garrison, Garrison, iii., 135-144. Haywood, Aug. 25, 1845: Polk Pap., Chicago.

<sup>6</sup> Greeley, *Amer. Conflict*, i., 175. *Cincin. Gazette: Nat. Intell.*, July 31, 1845. *Adv.*, etc.: *ib.*, Dec. 1, 1845. Appleton was not the only prominent opponent of annexation to take this stand. Van B. to Kellogg, Sept. 2, 1845: Van B. Pap. (Whigs) *N. Y. Express: Rich. Enq.*, Nov. 11, 1845.

national wealth, and the monopoly of cotton could only be secured by annexing Texas. It was peopled by our brethren, and its grave-stones were marked with the names of those cradled with us." Robert C. Winthrop of Boston, who had fought hard in the national House on the same side, expressed acquiescence in the result publicly on the Fourth of July, 1845; the *Evening Post* of New York was heard congratulating the country upon this valuable acquisition; and before long Gallatin himself, who had presided over the great anti-annexation meeting in that city, admitted that the absorption of Texas was "both expedient and natural, indeed ultimately unavoidable."<sup>7</sup>

In this direction foreign influences continued to be helpful. During September "that brazen scold," as the London *Times* was described by its neighbor, the *Standard*, professed that it saw "great danger" of the realization in the United States of these gloomy words from an old English writer: "No arts, no letters, no society, and, what is worst of all, continual feare and danger of violent death, and the life of man solitary, poore, nasty, brutish, and short"; and Buchanan wrote to our minister at London that "The conduct of Great Britain in regard to the Texas question—& the torrents of abuse against us . . . [coming] in one unbroken stream from the English journals" had "greatly incensed the people of this Country." Still more effective, perhaps, were the British and French manoeuvres in Texas and especially the clandestine journey to Mexico. With much truth our Secretary of State assured Major Donelson that every American felt indignant about Elliot's course, and that his operations had tended to unite the public in favor of annexation; while the New York *Courier and Enquirer*, which had opposed the resolution adopted by Congress, now said, "The interference of the Governments of England and France has not only reconciled nearly the whole country to annexation, but even to the manner of accomplishing it."<sup>8</sup>

When Congress met in December, 1845, Polk at once announced that the American terms had been accepted by Texas, and transmitted her new constitution. "The public faith of both parties" being "solemnly pledged to the compact of their union," he said,

<sup>7</sup> *No. Amer.*, Nov. 12, 1845. (Winthrop) *Lib.*, July 25, 1845. *Post*: N. Y. *Herald*, March 8, 1845. Gallatin to Calhoun, March 3, 1848: Jameson, Calhoun *Corres.*, 1161.

<sup>8</sup> *Times*, Sept. 23, 1845. *Standard*, April 14, 1845. *Buch.*, Sept. 13, 1845: Polk Pap., Chicago. To Don., June 15, 1845. *Courier and Enq.*: London *Times*, Aug. 1, 1845. It should be remembered that Elliot was very unwilling to make the secret journey, and yielded only to an almost or quite irresistible pressure.

“nothing remains” except to pass an act admitting the new State on the proper basis, and for “strong reasons” this ought to be done without delay. A few days later he supplied official evidence that the new constitution had been ratified by the people of Texas, and so the question of annexation was now before the American authorities for their final action.<sup>9</sup>

In the House of Representatives this information was referred to the committee on Territories, and on the tenth of December Stephen A. Douglas reported a joint resolution declaring Texas to be a member of the Union on an equal footing with the original States, and providing that she should have two Representatives until an apportionment should be made on the basis of population. Protests and petitions against receiving the new sister poured into the House, and resolutions from the legislatures of Massachusetts, Rhode Island and Connecticut accompanied them; but the day for such efforts had evidently passed. The joint resolution was made a special order for the sixteenth, and when it came up the annexationists promptly showed both the strength and the will to force the measure through immediately. Hunt of New York denounced the stifling of debate and refused to vote; but the only result was that the House excused him from doing so. Rockwell of Massachusetts, who succeeded—where a host of others failed—in an effort to get the floor, moved to recommit the matter with instructions to bring in an amendment prohibiting slavery in Texas, and then a long scene of confusion began. All opposition, however, proved vain. The resolution was adopted by 141 against 56, and a motion to reconsider the vote failed.<sup>10</sup>

In the Senate a bill for the admission of the new State was introduced on the tenth, and prompt action was demanded on the plea that many goods intended for that market lay ready for shipment at New York but could not enter the country, so long as it remained legally out of the Union, without paying duties. Resolutions and petitions against annexation made their appearance, but as in the other chamber they had no effect. When the passage of the Douglas proposition by the House was announced, the judiciary committee recommended that it be adopted in lieu of the resolution already brought before the Senate. Webster, once more a Senator, now

<sup>9</sup> Richardson, Messages, iv., 386, 416.

<sup>10</sup> The last of this information was received Dec. 9. *Cong. Globe*, 29 Cong., 1 sess., 37, 39, 41, 43, 44, 51, 52, 60. Particular objection was made to giving Texas the advantage of slave representation and to allowing her two Representatives.

Dec 22  
Nov 29

spoke against admission, basing his appeal mainly on the grounds of slavery and slave representation; but Berrien, a Southern Whig opponent of annexation, replied, "The pledge of this Government has been given, and it must be redeemed." No one felt able to refute that argument, and on the twenty-second the resolution passed by a vote of 31 to 14. Seven days later it was signed by the President, and so the long struggle ended. It remained, however, to bring Texas actually within the Union, and measures to this end were taken without unnecessary delay. The laws of the United States were formally extended over her territory, and a district court, equipped with judge, attorney, marshall and clerk was created. A collection district also was established; and a bill providing for postal routes followed.<sup>11</sup>

Her admission to the American Union was duly made known to Texas, and in February, 1846, the inauguration of her State administration formally completed the momentous affair. "Gentlemen of the Senate and of the House of Representatives," said President Jones in his valedictory, "The great measure of annexation, so earnestly desired by the people of Texas, is happily consummated. . . . The lone star of Texas, which ten years since arose amid clouds over fields of carnage and obscurely shone for a while, has culminated, and, following an inscrutable destiny, has passed on and become fixed forever in that glorious constellation which all free-men and lovers of freedom in the world must reverence and adore—the American Union. . . . The final act in this great drama is now performed. The republic of Texas is no more." Tears crept unconsciously from the eyes of many a weatherbeaten listener, who had toiled, suffered and bled to win freedom and establish a government, as the broad blue flag with its one brilliant star was reverently lowered by the retiring President; but when the banner of the Union rose in its place and caught the breeze, a deep satisfaction warmed his heart, and even while the tears fell, his voice broke forth, almost through sobs, in loud and repeated cheers.<sup>12</sup>

From the foregoing narrative certain conclusions appear to follow. Nothing in the revolution of 1836, in the claims of Mexico or in the recognition of Texas by the United States deprived these two countries of the legal and moral right to take up in the latter

<sup>11</sup> *Cong. Globe*, 29 Cong., 1 sess., 38, 45, 54, 60, 66, 75, 76, 87, 88, 89, 93, 94, 99, 101, 102, 107, 137, 282. Polk, *Diary*, i., 148.

<sup>12</sup> Jones, *Letters on the Hist. of Ann.*, 25. *Texas Democrat*, Extra, Feb. 20, 1845. Smithwick, *Evolution*, 283.

part of 1843 the project of uniting. The continuance of our neighbor as an independent nation involved a number of serious dangers to us, while as one of the States she could add much to our power and resources. Strong tendencies opposed to annexation existed there, however; England, France and Mexico stood firmly against it; and when Tyler took hold of the matter in earnest it was for numerous reasons a delicate and pressing affair. The American President, though naturally he exhibited Southern prepossessions and aims, pursued an honorable course. In particular he engaged in no conspiracy, though it is true that he was aware of much regarding the case which could not be published and proved. The situation of our government was hard. On the one hand a choice between great humiliation and misfortune and a great war was deliberately prepared for us abroad, and the moves of the opposition in Great Britain, France, Mexico and Texas had to be defeated, while on the other certain American opinions, interests and political complications threatened to block the project. The opponents of annexation in the United States, with numerous exceptions, appear to have been actuated by no peculiarly elevated motives, and too commonly they showed less patriotism and sagacity than its advocates. Among the leaders Tyler, the unpopular, comes out rather distinctly best, as so often occurs when conduct and principles are closely examined. Gradually the American people, though not extremely thoughtful, well-informed or high-minded on the subject, reached the sound conclusion that it was for the national advantage to bring about annexation with no further delay; for various reasons, one of which was this growing sentiment, an administration pledged to such a course came into power; by clever management a majority in our Congress was secured for a definite proposition; and the masses in Texas—perceiving that however well another destiny might suit the aims of certain public men, the plain people were likely to fare best under the Stars and Stripes—insisted upon accepting the American offer. By a combination of ability and good fortune all the remaining obstacles, by no means contemptible, were swept away; the will of the two nations was executed; and before long it was generally recognized that their union was expedient, logical and practically inevitable. For a variety of reasons, however—chiefly natural prejudices, an equally natural want of information and the fact that certain gifted opponents of annexation enjoyed great prestige in quarters where much attention has been paid to historical writing—some inaccurate views regarding the matter have unavoidably prevailed.



## ACCOUNT OF THE SOURCES.

### I. MANUSCRIPTS.

- Archives du Ministère des Affaires Etrangères, Paris.<sup>1</sup>  
Archivo de la Secretaría de Relaciones Exteriores, Mexico: Despatches to and from Ministers and Consuls in the United States, Great Britain and France.  
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Clayton Papers, Library of Congress.  
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Jackson Papers, New York (Lenox) Public Library.  
Lamar Papers, Texas State Library, Austin.  
Mangum Papers belonging to A. W. Graham, Esq.  
Markoe and Maxcy Papers, Library of Congress.  
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Pierce Papers, Library of Congress.  
Polk Papers, Library of Congress.  
Polk Papers, Chicago Historical Society.<sup>2</sup>  
Public Record Office, London: Foreign Office Papers; Slave Trade Papers; Admiralty Records.  
Texas (National) Archives, Austin: Diplomatic Correspondence; Senate Journal (secret); Laws of Eighth Congress.  
United States Department of State: Archives of the Texas Legation; Circulars issued to Diplomatic and Consular Agents; Confidential Report Books; Domestic Letter Books; Instructions to

<sup>1</sup> The documents bearing directly on the annexation of Texas were not, however, seen in the French archives. This matter is explained in the General Note, p. 1. Information from Mexico as late as 1833 was obtained.

<sup>2</sup> These have recently been transferred to the Library of Congress, but the author distinguishes between the two collections as a slight acknowledgment of the courtesy of the Chicago Historical Society.

and Despatches from Ministers, Consuls, Special Agents and Confidential Agents; Miscellaneous Letters and Replies; Notes to and from Foreign Legations.

Van Buren Papers, Library of Congress.

Webster Papers, Library of Congress.

## II. CONTEMPORARY PERIODICALS (for details consult the footnotes).<sup>3</sup>

United States: So far as they could be obtained, one newspaper of each party in each State for 1836, 1840-1844, and less systematically 1845.<sup>4</sup> In most instances the papers were found; in some of the others the gaps were partially filled. In the cases of Washington and several other important cities use was made of an exceptional number of journals. Many valuable clippings from American papers, sent home by foreign agents, were discovered in the State Department. Contemporary magazines also were studied.

Great Britain: The British Museum collection of newspapers and magazines was examined for the years 1836, 1840-1845.

France: The newspapers and magazines in the *Bibliothèque Nationale* were examined for the years 1836, 1840-1845.

<sup>3</sup>The list of periodicals examined is a very long one. To print it would appear to some pedantic, and as the periodicals used appear in every instance in the footnotes, it seems unnecessary.

<sup>4</sup>In making use of the newspapers two principal embarrassments have been experienced. In some cases the title of the journal included the name of the city or town where it was published, while in others it did not. It would seem proper to follow the usage in each particular instance; but sometimes the files are not themselves consistent, and a considerable number of papers have been found only through quotations in their contemporaries, which were not always accurate in this particular. To avoid confusion the name of the place is therefore uniformly printed in Roman letters while the proper name of the paper is italicized. The other trouble arose from publication as dailies, tri-weeklies, semi-weeklies and weeklies. There were surprising irregularities in this regard. Certain papers belonged now to one of these classes and now to another; some indicated their class in their titles, and in other cases (particularly when only extracts could be found) the author was unable to ascertain to which class the particular issues from which he quoted actually belonged. Again, to employ the word "Daily" in one case and not in another might lead the reader to suppose that the latter belonged to a different class, whereas perhaps it was merely not the practice in the second instance to make the adjective a part of the name; and still other difficulties under this head might be mentioned. It has therefore seemed best, since the authority of the paper and not the frequency of its issue is the essential point, to omit uniformly "Daily," etc., except in a few special cases. Most of the newspapers cited may be found in the Library of Congress, and nearly all of the others in the Public Libraries of Boston, Nashville and Memphis, or the collection in the City Hall at New Orleans.



Mexico: The collections of newspapers in the Secretaría de Hacienda, Biblioteca Nacional, and Archivo del Ayuntamiento de la Ciudad de México, and fragmentary collections in numerous State and municipal archives were examined for the period treated.

Texas: The author's main reliance was on the many clippings sent home by the representatives of foreign nations in Texas and the United States, quotations in American and British journals, and newspapers preserved in the State Library of Texas.

### III. LATER PERIODICALS (see the footnotes).

The historical serials of the countries named above were searched for documents and for articles, and the same course was followed with many not specially historical. Whatever useful material was found is referred to in the footnotes.

### IV. BOOKS AND PAMPHLETS.

[To make a critical bibliography would add too much to the bulk and cost of this volume, and, as little use has been made of printed materials (aside from the history of Texas before the revolution) except for the documents they contain (criticised in the text if necessary), it seems uncalled for. This list is included (1) to present fuller titles than it seemed desirable to give in the footnotes, and (2) to indicate useful sources of information.]

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