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CIRCULAR

OF

MAJOR JOHN P. GAINES, OF KENTUCKY,

TO HIS CONSTITUENTS

OF THE

TENTH CONGRESSIONAL DISTRICT.

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FRIENDS AND FELLOW-CITIZENS : Having been elected to the honorable station of Representative to Congress, by your voluntary and unsolicited suffrages, whilst a prisoner in Mexico—for which evidence of confidence and friendship I avail myself of this opportunity to publicly thank you—I take the liberty of trespassing on your patience in a matter personal to myself, but in which I desire to be placed in the right position before you, lest inferences, prejudicial to my honor, might be drawn in relation to my escape from thence.

In a letter of Capt. C. M. Clay's, published in the Louisville Courier, of July 5th, in vindication of himself from certain charges of some of the Encarnacion prisoners, my name has incidentally been brought into the discussion, which has induced me to appear before you now, instead of at some future time, (as I had intended,) when at more leisure, I could have addressed you personally in relation to all the incidents connected with the campaign.

Believing that no good can accrue from the indulgence of acrimonious crimination and recrimination, I shall scrupulously abstain from any imputation whatever in relation to others. Neither do I intend to be drawn into the discussion between these gentlemen, directly or indirectly, but simply submit a succinct account of my own actions and motives, trusting they will meet your cordial approval.

Some time after our arrival as prisoners of war in the city of Mexico, we received the official reports of Generals Taylor and Santa Anna, in relation to the battle of Buena Vista, in which our release or exchange was proposed and acceded to by Santa Anna, in these words: "In answer to the courtesy the enemy's General had shown with respect to our wounded, I consented, in the name of the nation, to release all the prisoners we had—those taken both in the battle, and at Encarnacion." We, therefore, anxiously expected the order for our release; but after waiting

Towers, printer, opposite National Intelligencer.

sufficiently long in the vain hope that Gen. Santa Anna would do that which he never before had done, keep his plighted faith, I demanded an audience, and continued to do so for weeks and months, but could not obtain one, being denied an introduction, but was told "I might go without," which I declined, as the honor of my country, as well as my own, forbid my going as a mendicant, to beg that which was perfidiously withheld, even the precious boon of liberty. I therefore resigned myself to the disappointment, trusting that the day of our deliverance was not very distant, for already the anxious countenances and active preparations for defence but too plainly indicated that the echo of the thunder and the flash of the artillery of that band of heroes under General Scott, would soon reach the capital; and, determined to await the result of circumstances, relying on my own resources to effect my release, provided the opportunity should occur in the meantime—for between perpetual imprisonment and death there was no choice, and unless released, either by the victorious arms of General Scott or my own, perpetual imprisonment appeared inevitable. Whilst in this state of suspense and uncertainty, as to the future, and from the ignominious perfidy, dishonor, and utter disregard of all civilized courtesy, not knowing but the next moment might consign me to the mines, or, what was worse, one of their beastly prisons, if the fiend who commanded should, with his characteristic infamy, conceive it, I was unexpectedly called upon to report myself before Gen. Lombardini, on the 1st August, 1847. Accordingly, I obeyed the order, accompanied by an English gentleman, of high character, and conversant with the Spanish language, as interpreter and witness, through whom I communicated, although Col. Almonte, the Mexican interpreter, was present on the part of the Government, and was himself a perfect English scholar. When there, I was told to be ready to start for Toluca the next morning, against which order I remonstrated, and demanded our release, and denied their right to retain us, having been exchanged, as I proved by producing the reports of Generals Taylor and Santa Anna to their respective Governments; to which demand Gen. Lombardini, with the accustomed Mexican duplicity and bad faith, replied, that "*the exchange was informal.*" I then immediately resolved to resign or withdraw my parole, and rely on myself for liberation, which I did, stating that "I withdrew my parole," as will be seen by the unanimous testimony of all present. And I furthermore stated that "I would not go to Toluca, unless forcibly taken there," firmly resolved to risk my life rather than submit myself any longer to their faithless promises. Not being able to obtain any satisfaction from Lombardini, I again demanded to see Santa Anna, and was referred to the Secretary of War, on whom we called, and of whom I again demanded our release, perfidiously withheld, and to whom I repeated what I had previously stated to Gen. Lombardini, that "I withdrew my parole, and would not go to Toluca unless forcibly taken there."

We were then paid off, I, with others, receiving mine, which I was entitled and had a right to, and which was necessary for my daily wants, being without other funds, except such as we procured from friends, and not knowing at the time but that I might be forcibly sent to Toluca, or imprisoned before I could effect my escape, or get funds elsewhere.

After the withdrawal of my parole and the receipt of the order "to prepare to start for Toluca the following morning," I repaired to the residence

of my friend, Mr. Smith, (whose hospitable mansion I had been invited to consider as my home,) and, whilst at dinner, was surprised by the appearance of a Colonel in the Mexican army, who brought a letter to Mrs. Smith, from her husband, in Puebla, who, with all other Americans, had been ordered out of the capitol, and also one for me from General Worth. This Colonel I found to be a daring, bold, and courageous highwayman by profession, and quite wealthy, which gave him considerable consideration and influence, who, besides owning large possessions in other parts of Mexico, had an extensive establishment in the city, where he employed great numbers of men and women, and where the fruits of his robberies were deposited and disposed of. After delivering his letters, he remarked that "he had been told by Mr. Smith that he had friends in Mexico who might desire to come to Puebla; if so, he could conduct them." I immediately seized the opportunity and entered into a treaty with him. It being Sunday, no passport could be obtained that day, and notwithstanding I used every inducement, by large offers of money, to leave immediately, without, as I was in constant dread of instant arrest, he resisted all my importunities, declaring that the attempt would cost us both our lives. I therefore parted with him, with the understanding that he was to meet me at 10 o'clock that evening, at the room of ———, near the stage office, a place of retreat provided for me. He appeared, according to agreement, and Major Borland and Capt. Danley were present—a meeting which will probably never be forgotten or erased from our memories, as it was to settle questions of high moment, involving our lives or our liberties. At length, he contracted, for the sum of \$200 each, to conduct us to Puebla, but only one at a time. It was agreed that he should start with me the following evening, (Monday, August 2d,) at 7 o'clock. We then parted, and what a separation? I to make the experiment of passing through the Mexican army, from the city of Mexico to the advanced posts near Puebla, a distance of upward of eighty miles, and through thirty odd thousand soldiers, scattered along the whole distance. Yet, hazardous and hopeless as it almost appeared, it but nerved me the more, for before me was liberty, and the path to honor and glory, whilst behind me was inglorious captivity. I retired to bed that night, but so anxiously solicitous for my departure that sleep fled, and with early dawn I removed to the house of Mr. ———, whose kind and hospitable lady furnished me food and concealment until my departure. I had two intimate and confidential friends near Almonte, who attended at the stage office to witness the departure for Toluca of our officers who had given their parole, and who reported to me all the facts connected therewith, and the remarks of Col. Almonte, in consequence of my non-attendance at the stage office, "that he would do me the justice to say, I was not on parole, but that he knew my whereabouts, and he would send me on the following morning," which threat he attempted to enforce by repairing to the house of Mrs. Smith, (where I had been living,) with a strong guard, and commenced a search through the building in a most ungentlemanly and unofficerlike manner, highly insulting to the lady, whom he accused of prevaricating, notwithstanding her positive assurances of ignorance as to the place of my concealment. And here allow me to digress a moment, and pay a passing tribute to the worth and excellence of these two most estimable ladies, who have since been

gathered to the harvest by death's relentless scythe, but whose kindness and attention to me whilst under their hospitable roofs, will ever remain as a fresh and verdant spring in that oasis of my captivity, the recollection of which calls up in my memory feelings of the deepest gratitude, which nought but death can efface, and for which and their many other acts of goodness and charity, we are bound to believe they have received the reward promised by Him who spoke as never man spoke, when he declared, "Blessed are the merciful, for they shall obtain mercy. Blessed are the pure in heart, for they shall see God."

Colonel Almonte having failed in discovering my retreat, gave up the search, and I passed the day, through the kindness of friends, in preparing for my escape. Every thing being prepared, horses and equipments, and disguised as a Guerilla, I repaired to the place of rendezvous, and found myself in association with a lazy band of robbers, both men and women, in the employment of my guide—in whose countenances were depicted every vile and treacherous thought the human face was capable of expressing—a band cemented by no tie of humanity, but for robbery and murder if thereby it brought any gain, and whose accoutrements were in perfect keeping with their profession. To my very great regret, the Colonel considered it too hazardous to pass out on the main road, although he had Santa Anna's passport for himself and three others, of whom I was one, and he insisted on remaining another day, in order to ascertain if we might not be able to avoid the Penon, and other strongly guarded places, occupied by the Mexican troops, by passing over dykes and through swamps—to this I most reluctantly yielded, and with a heavy heart returned to my place of concealment. The following evening, Tuesday, August 3d, I again repaired to the place of meeting, and found all things ready, the main road having been determined at last to be the best, and at 9 o'clock in the evening I took my leave of the renowned city of the Aztec's, that city famed in history, where I had sojourned, as a prisoner of war for more than five months, a part of that time in utter disregard of all comity, humanity, and rights and usages of war, as well as plighted faith, confined in the filthy prison of the Castle Santiago, and the residue of the time on my parole in the city. I shall not attempt to describe my feelings when at the gate the shrill hail of the sentinel drew from my conductor the equally shrill response "*Mexicano Republico.*" After a brief inspection of our company, in which my foot was taken hold of, and an inspection of the passport which corresponded with our company, all was declared to be right, and we passed the gate. At the celebrated Penon, where several thousand Mexican soldiers were stationed, the same ceremonies were observed, with the same results, and thus after seven challenges, we found ourselves, about 3 o'clock in the morning, the moon having risen, in the immediate vicinity of the village of Cordova, the last settlement in the valley of Mexico, before reaching the mountains. Here we diverged from the main road to pass into the mountains, but the Colonel's horse was, most unfortunately, taken sick and died. Finding a secure position, I was left in charge of one of the men, whilst the Colonel and the other went to Cordova, about a mile distant, to procure another horse—instructing the man left in charge of me, (as I afterwards learned,) to remain till he returned. At daylight, the most beautiful scene imaginable, and beyond descrip-

tion, presented itself to my view, and which I had ample time to enjoy whilst waiting for my guide. We were on the top of the mountain which overlooks the valley of Mexico, below, as though under our very feet, were the beautiful villages of Chalco, Marie, Flores, and numerous others which dotted the scene, and Popocatepetl rearing his hoary peaks into the blue ethereal vault of heaven, seemed so near you could almost touch it, although not less distant than thirty miles. After waiting some time, my guide seemed disconcerted at the Colonel not returning, and in utter ignorance of the instructions given, I could not account for his evident uneasiness; after waiting, however, until toward nine o'clock, we circled round the mountain and reached the main road on this side of Cordova, and passed on quietly until we reached Rio Frio, a village about half way between Mexico and Puebla. I objected to passing through the village, which, from the elevation we were on, I discovered was filled with people, and insisted on climbing the mountains and passing round, which we did: but just as we entered the road again we were met by a company of Lancers, about fifty strong, who at once arrested and searched me, but found nothing suspicious about my person. The man who was with me, all the time protesting that I was under the protection of Colonel ———, who was well known by the officers, but who appeared to discredit every thing he said.

The horrors of continued captivity or instant death now stared me in the face, and whilst reflecting how to act, who should present himself but the Colonel, at whose approach the whole company took off their hats, and saluted him. Words are inadequate to express my delight and joy at the arrival of this personage, who after a very few words with the Captain, directed me to mount my horse, which, with great alacrity, I obeyed. We again sat out, but after riding half a mile halted, when the Colonel gave his man a very severe castigation for disobeying his instructions given in the mountains—he having been told to remain with me at that place until his return. At this I was not a little pleased, for my life was near paying the forfeit, although I thought him a little too severe. I was then directed to dismount and get upon a led horse he had with him, as he had (for want of money) given my horse (which was a very fine one) to the Captain to get me released. To this I of course assented, the horse was therefore sent back by the man. The Colonel and myself then proceeded on alone, and when we stopped in a beautiful pine grove to rest, I asked what would have been my fate if I had been discovered, he replied, "they would have tied your hands round a tree and shot you in the back." Truly I felt grateful for having escaped such a death. We then pursued our way and arrived safely at the picket guard at Puebla, about 7 o'clock P. M., August 4th. Never did my mother tongue greet the ear so harmoniously as did the honest hail of our guard when he cried, "Who comes there?" Being admitted I immediately repaired to head-quarters, and reported myself to Gen. Scott for duty, who received me with great kindness, and after hearing my story, appointed me to the honorable position of aide-camp to himself for the march on Mexico, then about to take place.

After my interview with Gen. Scott, I waited on my old friend Gen. Worth, under whom I had served at Saltillo, who also received me with great kindness, and with whom I was domiciled during my short stay in Puebla. After the events of the expedition, up to the 24th of August, and

the fighting had ceased, and it was believed that peace would soon be concluded, I addressed a note to Gen. Scott, (herewith subjoined,) asking a Court of Inquiry on my conduct, in order that the facts connected with my military acts should be placed in their proper light before the country. He answered my note verbally, in the presence of Generals Worth and Cadwallader, and, I believe, some other officers, declining to grant my request, in terms highly flattering and complimentary to myself and those under my command, declaring that not the first whisper of censure or complaint had ever been uttered to his knowledge. A few days after which Gen. Worth addressed me a note, also annexed, in relation to this interview with Gen. Scott.

The foregoing is a brief and true account of all that transpired from the period of our arrival in Mexico city to the time of my arrival in Puebla, as the letters hereto appended of Lieuts. Davidson and Barbour, Major Borland, (and Captain Danley's published statement,) confirm, and which, upon a review, brings with it no remorse, but which I should again repeat under like circumstances, and which I have the satisfaction of knowing met the approbation of Generals Scott and Worth, as the subjoined correspondence with the latter evinces.

Respectfully, your friend and fellow-citizen,

JOHN P. GAINES.

WASHINGTON, *February 29, 1848.*

DEAR SIR: In a published correspondence between a committee on the part of the people of Estill, and yourself, you say you can most cheerfully bear testimony to the chivalric bearing of all the officers and men (one excepted) who were so unfortunate as to be overpowered by numbers, and made prisoners with yourself. I feel very sure that I am not the officer excepted by you, and ask the favor of you so to state. It will relieve me from the pain of not a few annoying inquiries.

I have also been informed, upon the authority of a letter from Frankfort, that in a speech made by you, a few days ago, in the Whig Convention, you said, that you might easily have escaped from Mexican thraldom, but that you could not have done so without dishonor. The letter adds, that this was understood as an attack upon me, and I think with some reason, inasmuch as your position and mine being precisely similar at the Palace in the City of Mexico, on the memorable morning of the 1st of August last, it is not perceived how I could have *honorably* escaped and you not. It is due to candor to say, that I do not believe you *meditated* an assault upon me, yet as it seems to have been so understood by others, with all due respect, I ask of you the favor to set the matter right.

Very respectfully, your obedient servant,

JNO. P. GAINES.

Captain C. M. CLAY.

NEW YORK CITY, *March 12, 1848.*

DEAR SIR: Your letter of February 29th, has been received. In response, you do me the justice to say that in the correspondence and remarks

alluded to, I have no intention to censure you. In my correspondence with the committee of Estill county, I had no allusion to yourself. In my published speech at Richmond, you will see that I *expressly complimented you*. In my speech in caucus at Frankfort, when I spoke of you, I reiterated the same sentiments. In my defence of myself, I had no intention of censuring you. I confess that, having occupied similar positions, and a divergent course of action having ensued, as you say, the praise of one, is, of necessity, the blame of the other, and this is what I was trying to avoid. Garrett Davis had termed the imprisonment "dishonorable" and seemed to cure its effects so far as you were concerned, by the fact of escape. I said I had ample opportunities of escape by breaking my parole of honor—that the expedition to Toluca had been regarded by all as eminently threatening to the lives of the prisoners, that having *once laid down my arms, I intended to abide the will of my conquerors*, even preferring to risk almost certain death to breach of parole, destruction of the guard, or secret escape. You know that I, at all times, during our imprisonment, advocated similar sentiments in opposition to some others of the prisoners, who talked of breaking guard. Perhaps my views of this subject are ultra, beyond what the laws of nations require. But regarding the sparing of life in war, as not demanded by the law of nature, I think the *generosity of the conqueror* should never be abused. I trust that this course of reasoning and defence, and it is such as I used at Frankfort, will not be construed into an attack on any one. You are, no doubt, able, at least in your own view, and that of a great majority of mankind, to defend yourself, certainly I shall not stand in the attitude of accuser. Before your escape you no doubt in good faith, *surrendered your parole*, and believed that you were acting honorably in all respects. I appreciate your sentiments of patriotism, at the same time justice compels me to say that I could not have availed myself of your means of escape; because the Mexicans, by not placing a guard over you, confided in your remaining. They afterwards complained that you all had violated your word of honor. But, if I could not avail myself of *escape of any kind*, much less could I avail myself of a doubtful surrender of parole. Rest assured that I have no disposition to bring these useless discussions before the public. I have, as far as possible, studiously avoided the statement of any position which would wound the feelings of any of my fellow prisoners, and shall continue to pursue the same policy. Trusting that you will rest satisfied that all that I shall write or say of you shall be, as it has been, complimentary, except so far as a defence of myself shall be implied censure of others, I do not see any necessity of a publication of this letter. If you, however, deem it otherwise, you are at liberty to use it in any manner you choose.

I remain, as ever, respectfully, your obedient servant,

C. M. CLAY.

Hon. J. P. GAINES.

NEWPORT BARRACKS, March 27, 1848.

DEAR MAJOR: I have just received your letter and hasten to reply. Capt. Clay, Lieut. Churchill, and myself, went to the Palace in company the 1st day of August, 1847, having received orders to attend Gen. Linn

bardini, for the purpose of receiving money to pay our expenses to Toluca, and to give our parole of honor to repair to that place.

After arriving at the Palace, Capt. Clay, Lieut. Churchill, and myself expressed our willingness to give our parole. Just as we were leaving the room, Major Borland, Capt. Danley, and yourself arrived. I distinctly heard you tell Gen. Lombardini, (through his interpreter, Col. Almonte,) upon two occasions, that you would not go to Toluca on parole. Major Borland and Capt. Danley saying at the same time, that *they* would not go. Capt. Clay was present during the whole interview. You afterwards, in the apartments of the Minister of War, told Col. Almonte to tell Gen. Lombardini that your parole was *at an end*. I know that Capt. Clay was present, from the fact that he interpreted for you some unintelligible expressions of the Colonel, in Spanish, as he left the apartment, saying you were very hard-headed, or something to that amount. I never heard from that time until my arrival in Kentucky, that the slightest doubt existed as to your having acted in the most honorable manner. I am certain that Capt. Clay never mentioned, or intimated, a doubt of your having so acted, either while a prisoner, or after we were released, and remained in Mexico.

Whatever may be the opinion of Capt. Clay, you may rest assured that your whole conduct while a prisoner, is approved of most heartily by the balance of your fellow prisoners.

Very respectfully, your obedient servant,

GEORGE DAVIDSON.

To the Hon. J. P. GAINES, *Washington city*.

WESTPORT, OLDHAM COUNTY, KY., *April 1st, 1848.*

DEAR MAJOR: Your favor of the 18th ultimo I have given a careful perusal and hasten to reply. And although it will always afford me pleasure to serve you, still I regret the necessity for this.

I know that it is very difficult to remember correctly the *particulars* of events which have taken place several months previous to the narrative of them. As to what occurred on the first day of August, 1847, when the American prisoners of war, then in the city of Mexico on their *parole*, were summoned to the National Palace by order of the Mexican Government, I presume few of us will ever forget. I will now state my recollection of the facts, about which I hope there may be no discrepancy amongst us. In doing so, I will confine myself to what actually occurred in my presence, of which I have a personal knowledge.

Early on that day Col. Almonte called at my lodgings, before I was up, and delivered me the order of his Government, to present myself at the National Palace by the hour of 11 A. M. He remarked that he had seen all the officers, except Mr. R. C. Rogers, of the Navy, and enquired where he was to be found. I replied that I had not seen him for several days, (Mr. Rogers had then made his escape to Puebla.) At the hour appointed I proceeded to the Palace in company with a Mr. Benfield, an English resident there, who kindly offered to attend me as an interpreter. Up to that hour I had not met with any of my fellow prisoners. Not finding any of you at the Palace, I returned again without presenting myself. By the

direction of one of their Government officers, an hour or two after, I met with you, Major Berland, and Captain Dailey. You had a Mr. ——— with you, for interpreter. We proceeded to the Palace together, and when in the Grand Plaza, near the entrance to the Palace, we met Captain C. M. Clay, Lieutenants Davidson and Churchill, who had been to the Palace and were returning. They remained with us, said they had received orders to start for Toluca the next morning. Several thousand troops were then stationed in and about the Palace, and hundreds of Mexican officers in full dress were in attendance. On passing the principal entrance we were met by Col. Almonte, who conducted us to the Department of the General-in-chief, Lombardini, who received us standing. Permission having previously been given to admit an interpreter with us. Gen. Lombardini then informed us that it was the order of his Government that we should be removed from the city of Mexico to Toluca, and that we would hold ourselves in readiness to obey the order, at 6 o'clock the next morning, and that the diligence would call for us at that hour. You then said, through the interpreter, that you wished to call the attention of the Mexican Government to the consideration of the fact that all of the prisoners had been agreed, both by Gen. Taylor and Santa Anna, to be exchanged for at the battle of Buena Vista, and that you had proof of the fact, as evidenced by the official reports of both Gen. Taylor and Santa Anna, which you produced, one in English and the other in Spanish. In getting out the two papers you will remember that farcical scene, wherein you were guilty of a breach of etiquette in the presence of the General in chief, by placing your hat on your head, which he resented by doing the same in no gentle manner. Gen. Lombardini told you that the arrangement to exchange was *informal*, and moreover that Gen. Taylor had, in bad faith, failed and refused to execute his part of the compact. You then told the interpreter to say that you did not intend to go to Toluca, that you had given your parole to remain in the capital, and that it was then surrendered. I think the words were, "at an end." This closed our interview with the General-in-chief, except that you mentioned, when speaking of giving up your *parole*, that you spoke only in behalf of yourself. That though you were the senior officer, you did not attempt, or wish to control the conduct of the rest of the prisoners. You then asked an audience with the President, Santa Anna, and we were directed to the Minister of War. After we had been in the latter Department sometime, that Minister, with several other functionaries, came in, and the subject of our paroles again resumed. I recollect distinctly that you again, in the most explicit manner, gave formal notice that you did not consider yourself any longer a prisoner on parole, that you withdrew it, and that if you were taken to Toluca it would require a force to effect it. At this, Col. Almonte lost his temper and said rather sharply, sir, you are now in the power of the Mexicans, and they will send you where they please without consulting your wishes. To this you made some angry reply. I do not recollect the exact words.

An officer, who was a colonel, then came in with a list of us, a pay roll — and made the officer pay us for the future, according to our rank, which we all received, except Lieut. Thos. J. Churchill, who persisted in refusing their money. We were required by this officer to subscribe our names, stating respectively whether we accepted the parole tendered us. Capt.

Clay was the first to accept, and so wrote his name. Lieut. Davidson and myself, after consulting, did the same. You then wrote your name, and opposite to it, on the margin of the paper "*Not on parole.*" And I am now of the opinion, that Maj. Borland and Capt. Dumbley did the same. All of our officers were present, except Cpts. Heady and Smith. That you did, in the plainest and most unequivocal manner and language, withdraw your parole in the presence of Gen. Lombardini and the Minister of War, on the 1st day of August, 1847, in the National Palace, at the city of Mexico, there can be no doubt whatever. And the fact must be distinctly remembered by all present, and all I presume were attentive observers of events that involved our lives. It was very clear that you gave the Mexicans to understand, that you would not go to Toluca willingly, and even intimated that you would attempt your escape. In short, no other inference could have been drawn.

I shall never forget what my feelings and views were on that trying occasion. I and Lieut. * * * had, for some time previous to this, meditated escape, and as we could not with honor make the attempt whilst on our parole, we had determined on obeying the order sending us to Toluca, then withdraw our paroles, and escape from thence. We had been assured by foreigners in the capitol, that it was easier to get to Puebla from Toluca, than from the city. I felt that there was very little chance for you to effect your purpose of escape, for, after the bold course you had taken, it was a matter of the greatest surprise that you were not at once arrested and confined in close prison again. But fortune favored you, and you were permitted to leave the Palace without arrest. I only saw you twice after this. First, in the evening when you had received a letter from Gen. Worth, and you were making arrangements to *run*; and once the next morning just before we started.

This is substantially what I remember as having taken place in connection with your withdrawal of your *parole*; and, though I do not know precisely your object in asking for this statement, yet I hope it may accord with your own recollection of the facts. And truth is due to all, particularly to a soldier, on a point of honor.

Your friend and obedient servant,

WM. J. BARBOUR.

Maj. JNO P. GAINES.

WASHINGTON CITY, July 13, 1848.

DEAR SIR: I have read the letters of Lieut. Davidson, of March 27, and Lieut. Barbour, of April 1, addressed to you in relation to your parole, the violation of which by you in the city of Mexico, has been alleged by Cassius M. Clay. Substantially, as far as they go, these letters coincide, accurately, with my recollection of the occurrences they describe. After this lapse of time, (within a few days of twelve months,) it is almost impossible to recollect every circumstance of a somewhat complicated transaction, or the precise language used in any conversation. From one statement, only, in Lieut. Barbour's letter, do I dissent. It is wherein he says you put your name to the paper, and wrote opposite "*not on parole.*" I

have no recollection of your doing so. Indeed, I am sure, as well from the circumstances as from a knowledge of our purpose at the time, that neither you, Capt. Danley, nor myself, could have done so.

I hope you will not deem it necessary to make any reply to the statements of C. M. Clay. If, however, your better judgment induces you to differ with me in this respect, you can make any use you please of this confirmation of the statements of Lieuts. Davidson and Barbour, already alluded to.

I am, very respectfully and truly, yours,

SOLON BORLAND.

HON. J. P. GAINES.

PUEBLA, MEXICO, *August 6, 1847.*

MY DEAR MAJOR: You come to us—thank God—in safety, happily and honorably escaped from prolonged thralldom, imposed in violation of national faith and the laws and usages of war, and just in time to share in the hazards, and I hope the honors, of the campaign.

You are unarmed—accept a sword which has been in battle, and a pair of pistols—each of which you well know how to use—from your friend,
W. J. WORTH.

Major GAINES, *Kentucky Volunteers, &c. &c.*

PUEBLA, MEXICO, *August 7, 1847.*

MY DEAR GENERAL: Your note, accompanied with the gift of a sword and pair of pistols, was received this morning. I cannot sufficiently express to you how much I value this evidence of your regard, and your kind allusion to my captivity is no less appreciated.

The fact that these weapons have already been used in battle, imparts to them additional interest, and will incite to such a performance of my duty, as will prove how sincerely I estimate the donor, and the associations attached to them. Accept then, my dear General, my thanks for this additional proof of your friendship, and the kindest wishes of

Your devoted friend,

JNO. P. GAINES.

To Major Gen. WORTH.

TACUBAYA, MEXICO, *August 24, 1847.*

DEAR GENERAL: Every thing indicates that this war is closed by your last glorious victory, that there is no probability of further contest of arms. Such being the case, circumstances demand my presence at home as early

as practicable ; but, before leaving, it is due to my character, and to those I commanded, that I should have the benefit of a Court of Inquiry, which I most earnestly and respectfully solicit at your hands.

I have the honor, to be, with high respect, your obedient servant,

JNO. P. GAINES,

Major Kentucky Cavalry.

To Major Gen. SCOTT, *Commanding-in-chief.*

TACUBAYA, *August 29, 1847.*

MY DEAR MAJOR : As you have been advised, the General-in-Chief has declined giving you and Borland a Court of Inquiry on grounds most complimentary to both of you. The ordering a Court might be construed elsewhere into a doubt as to your conduct, gallantry, and patriotism, when no such sentiment is entertained here. The decision of the General-in-Chief has been dictated by the highest sense of delicacy and respect for yourself and comrades.

Very truly yours,

W. J. WORTH.

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