

Diplomatic Ties: Slavery and Diplomacy in the Gulf Coast Region, 1836-45

By

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Leo Brown Sr.
Whose dreams sustained mine,
We came a mighty long way!

Jessica Borboa
Thank you for never letting me be wrong and righting my wrongs!

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Introduction

In 1876, Ashbel Smith delivered a series of speeches defending his tenure as the Republic of Texas's diplomatic from 1836-1845. Diplomacy played a central role in the expansion of slavery/slave trade in Texas and the rest of the western part of the US. Soon after Smith's speeches, the contested United States presidential election of 1876 ended in a compromise which ended Reconstruction in the South.¹ As Texas shed its "southernness" and its history of slavery, the state focused on the Republic and its actions.² Smith, the last living important member of the Republic's government, became synonymous with the rise of slavery in Texas.³ In his speeches, Smith exalted Sam Houston and the standing of the Republic on the global stage. He compared his dealings with Great Britain to David and Goliath.⁴ Smith concluded, with diplomacy, slavery prevailed over the abolitionist desires of Great Britain and entered the United

¹ In 1876 presidential election, neither candidate Republican Rutherford B. Hayes nor Democrat Samuel Tilden won the requisite electoral votes. In order for the Republicans to hold the Executive Branch, they accepted some compromises. One was the ending of militia rule in the South, thus the end of Reconstruction. See Eric Foner, *Reconstruction: America's Unfinished Business, 1863-1877* (New York: Harper & Row Publishers, 1988), 564-587.

² In an attempt to end Reconstruction, Texas shed its "southernness" and portrayed itself as a western state. In effect, this began the erasure of Texas' slave past. For overview of Reconstruction in Texas, see Carl Moneyhon, *Republicanism in Reconstruction Texas* (Austin: University of Texas, 1980), 21-61 and his later book, *Texas after the Civil War* (College Station: Texas A&M Press, 2004), 180-207. For more on Texas' switch from a southern to western state see, Glenn Sample Ely, *Where the West Begins: Debating Texas Identity* (Lubbock: Texas Tech Press, 2011), Chapter 2 (kindle edition).

³ Smith compiled his speeches into a book, *Reminiscences of the Texas Republic* (1876). By the end of Reconstruction, Smith was the last remaining person of influence of the Republic era. In 1858, the Republic of Texas lost two of its important leaders. The first, Anson Jones, the last president of the Republic, committed suicide and the second, John Pinckney Henderson, who served as a diplomat and then the first governor of Texas, died suddenly at 50 years old. In 1863, Sam Houston died at his estate in Huntsville, Texas where he was exiled for not supporting secession.

⁴ Ashbel Smith, *Reminiscences of the Texas Republic: annual address delivered before the Historical Society of Galveston, December 15, 1875*. Brasada Reprint Series, (Austin: The Pemberton Press, 1967), 22-43.

States as the last slave state annexed.

By focusing on the tenures of five diplomats, I examine the effect of diplomacy on the westward expansion of slavery after Texas' independence in 1836 to its annexation into the Union in 1845. This study begins with the confrontation of the formal diplomatic world on the frontier with the contested introduction of slaves in the region. In this work, diplomats are defined initially as negotiators between two countries or peoples. These first diplomats lacked governmental credentials and they did not speak as governmental officials. For example, I classify Stephen F. Austin as a diplomat. This was not a formal title, nor one Austin used himself. However, Austin fits the role. He negotiated treaties as an *empresario*, worked on laws with the Mexican government, and acted as a mediator between the Mexican government and Anglo-Texans.⁵

During the Republic (1836-45), Texas' diplomatic corps emerged out of the slaveholding class. Unlike other foreign governments, in the Republic of Texas, the President's office ran the diplomatic corps instead of the Secretary of State or the Department of Foreign Affairs. The Republic maintained diplomats in Great Britain, France, other European nations, and most importantly, the United States. Minister Plenipotentiaries, like Isaac Van Zandt, had *chargé d' affaires* who worked as his assistants instead of having distinct roles or specialized missions that gave them as much power as a minister (an example of this sort of consul is James Hamilton tasked

⁵ An *empresario* is essentially a land agent and surveyor. In Texas, however, an *empresario* was the leader of his area. The expanded role of the *empresario* allowed men like Stephen F. Austin, to negotiate directly with the Mexican government and settle disputes between settlers.

with procuring loans for the Republic). The Republic's diplomacy tied Texas' interests from the Gulf Coast of Mexico across the Atlantic Ocean to Great Britain and the rest of Europe.

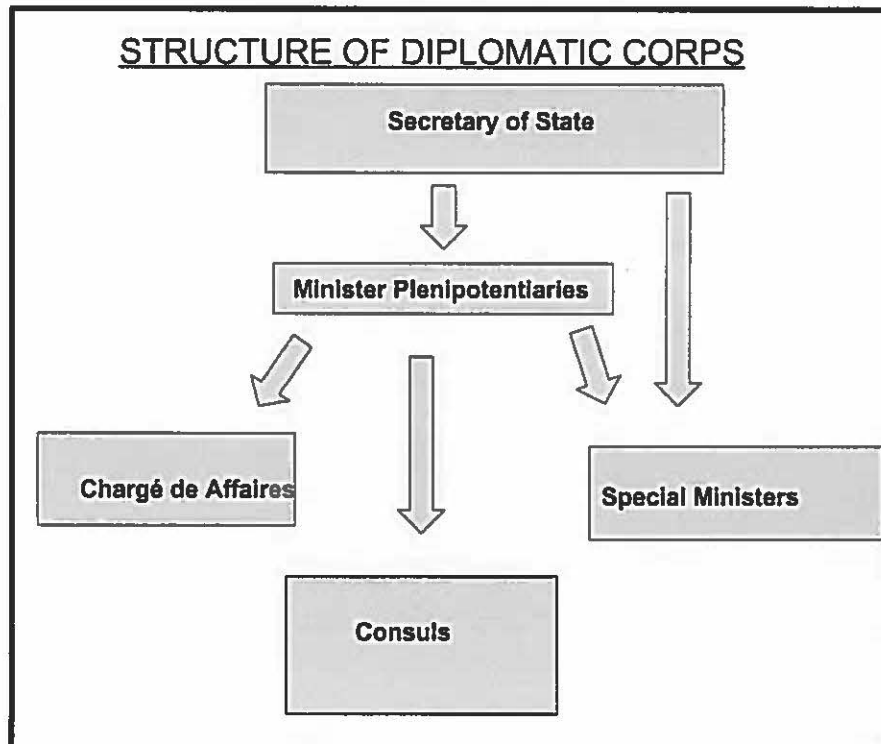


Figure 1.1 Structure of Diplomatic Corps. This is the structure of an established country. In the Republic of Texas, the President appointed the Secretary of State but closely controlled the appointment of all members of diplomatic corps.

In examining the role of diplomacy and the Republic of Texas, the issue of slavery is a continuous and contentious subject. While allowing for the continuance of the domestic slave trade, the framers of the United States' Constitution stated that Congress could pass no law banning the African slave trade until 1808.⁶ The fight against the African slave trade was a transatlantic abolitionist movement. Across the

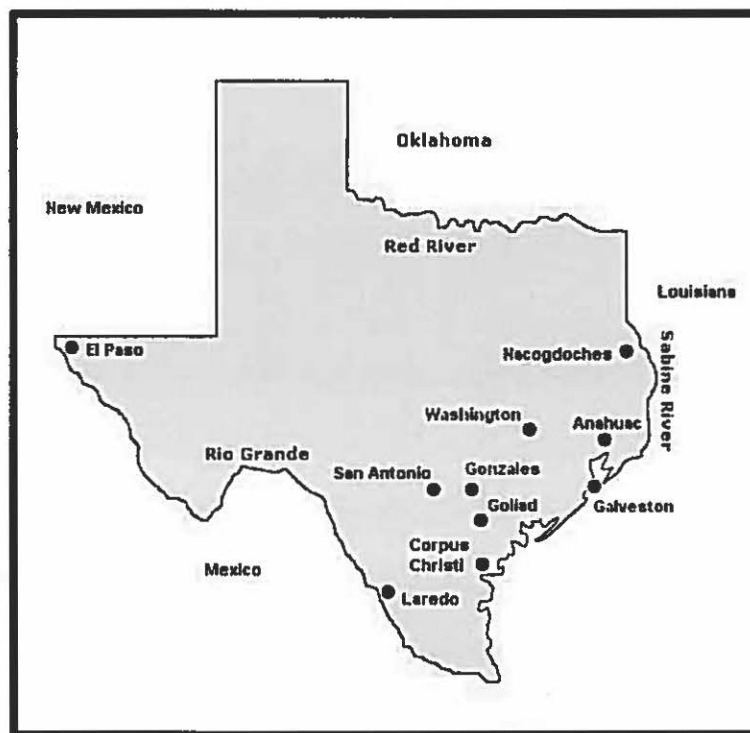
⁶ United States Constitution, Article 1, Section 9, clause 1.

Atlantic Ocean, British abolitionists won their first victory in declaring the African slave trade, not only immoral, but illegal. By no means did the slave trade fade away in the United States, as it expanded westward, the issue of the domestic and illicit slave trade continued to rise. When Texas emerged as a nation, abolitionists initially feared the new Republic would re-open the African slave trade. Re-opening the illicit trade would reverse the hard work of the abolitionists and tempt other nations in the Gulf Coast region to re-join the trade. This was one of the initial concerns when British diplomats met with Texas emissaries.

For this project, I focus primarily on the Republic of Texas, situating it at the center of the Gulf Coast region, as it provides a useful jumping off point to discover the depth of the westward expansion of slavery. Rather than arguing that Texas was exceptional, I argue that by looking at the Republic, one can merge three different historiographies—Latin American, North American, and British—to gain a comprehensive view of the westward expansion of slavery. What must stand out is that Great Britain and France, nations across the Atlantic, wielded significant influence in dictating another nation's internal policies. These relationships, especially with Great Britain, need to be explored. Texas, due to its geographical size, was at the heart of the Gulf Coast region and serves as lens through which to view westward expansion of slavery.

In discussing Texas, the government and commercial crops were located in the eastern portion of the territory. As planters moved into Texas from Louisiana and other

southern states, they found prime land along the Brazos River.⁷ San Antonio, situated in central Texas, remained the last stronghold of the Mexican empire and culture in the region. Raul Ramos details how the residents of San Antonio, Bexarênos, were distinct from Tejanos and Mexicans. He argues that this “transitioned” ethnicity of the Bexarênos aligned them more with ethnic Anglo-Texans, which explained their support of the Texas Revolution.⁸ The geographical size of Texas, alone, which was larger than most European countries, made the young Republic a major player in the Gulf Coast Region. My study concentrates on the eastern portion of the Republic, as this was the entry point for the majority of slaves and where they resided.



Texas Towns in 1830

⁷ See Adam Rothman, *Slave Country: American Expansionism and the Origins of the Deep South* (Boston: Harvard University Press, 2005) 165-217.

⁸ Raul Ramos, *Beyond the Alamo: Forging Mexican Ethnicity in San Antonio, 1821-1861* (Chapel Hill: University of North Carolina Press, 2008), 167-205.

There are, however, other important areas to examine to help understand the slave trade. Historians have focused much attention on the slave trade and markets of New Orleans and Brazil. By using slave manifests and census records, historians, like Michael Tadman, have argued that one cannot understand the extent of the interstate slave trade without primarily focusing on New Orleans.⁹ Brazilian studies, on the other hand, provide a multifaceted view of the international slave trade. Some, historians have characterized Brazilians as the sole recipients of the African slave trade in this period.¹⁰ Most recent studies have argued that Brazil became an important actor in the African slave trade. My study acknowledges the plethora of monographs and databases completed on the slave trade, however, the historiography of the slave trade, and more importantly, the westward expansion of slavery is still incomplete.

My dissertation argues that diplomacy, particularly by Texas diplomats, propelled the westward expansion of slavery. Their diplomacy was at once, covert and overt, public and private, and in the case of the United States, was state-sponsored. This is why the study of the westward expansion of slavery and the slave trade, not only matters, but captures the imaginations of its scholars.¹¹ Exploring the most basic facets

⁹ See Michael Tadman, *Speculators and Slaves: Masters, Traders, and Slaves in the Old South* (Madison: University of Wisconsin Press, 1989), 11-46; Walter Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market* (Baton Rouge: Louisiana State University Press, 1999), 78-116; and Robert H. Gudmestad, *A Troublesome Commerce: The Transformation of the Interstate Slave Trade* (Baton Rouge: Louisiana State University Press, 2003), 62-117, Steven Deyle, *Carry Me Back: The Domestic Slave Trade In American Life* (New York: Oxford University Press: 2005), 94-142.

¹⁰ Gerald Horne, *The Deepest South: The United States, Brazil, and the African Slave Trade* (New York: New York University Press, 2007), 128-150.

¹¹ See Sean Kelley, *Los Brazos de Dios: A Plantation Society in the Texas Borderlands, 1821-1865* (Baton Rouge: Louisiana State University Press, 2010). While Kelley strategically places Texas in the borderlands, the majority of his discussion centers on Brazoria County which mirrors the Deep South. Adam Rothman, *Slave Country*, Rothman's work deals more with the expansion of slavery with the Louisiana Purchase. Michael Morrison, *Slavery and the American West: The Eclipse of the Manifest Destiny and the Coming of the Civil War* (Chapel Hill: University of North Carolina Press, 1997).

of the diplomacy and the westward expansion of slavery, unexpected links appear that provide glimpses into the Atlantic World, a world without economic boundaries.

In this project, I address different questions concerning the slave trade. For example, why did slavery spread with such alacrity in the Republic in spite of strong international resistance? How did this trade create “unholy unions” between countries, who were politically, socially, and economically opposed to one another? In the end, these questions, allowed me to assess the importance of the tie between diplomatic relations and the westward expansion of slavery to the economy of the Gulf Coast region in the antebellum years.

Most studies of the Gulf Coast region center on two issues: the rise of the cotton industry and slavery.¹² I focus on the westward expansion of slavery as it pushes into Texas. Originally Texas was part of the Viceroyalty of New Spain. In 1821, Mexico overthrew its colonial ruler and Texas became part of the Mexican state of Coahuila y Tejas. For recently arrived Anglo-Texans, it was imperative that the Mexican Constitution secured their land rights and protected the institution of slavery. Mexico, however, was adamant that slavery had to be abolished. This conflict over slavery would lead to Texas severing its relationship with Mexico beginning in 1835.¹³

Morrison situates slavery as the central focal point to the westward expansion of the United States.

¹² Three recent books that deal with slavery and cotton industry in the Gulf Coast Region (the port of New Orleans)-- Edward E. Baptist, *The Half Has Never Been Told: Slavery and the Making of American Capitalism* (New York: Basic Books, 2014), 261-309; Sven Becket, *Empire of Cotton, A Global History* (New York: Alfred A. Knopf, 2014), 98-114; and Adam Rothman, *Slave Country: American Expansionism and the Origins of the Deep South* (Boston: Harvard University Press, 2005), 73-118.

¹³ The Texas Revolution began October 2, 1835 and ended successfully in April 21, 1836. For the military aspects of the revolution, see Stephen Hardin, *Texas Iliad: A Military History of the Texas*

The main components of the westward expansion of slavery consisted of the domestic and African slave trade.¹⁴ W.E.B. Du Bois has argued that two things rejuvenated the slave trade to the region—the rise of the cotton industry and Texas' independence. The expansion of the cotton industry could easily be examined in conjunction with the rise of the industrial revolution and the cotton gin that led to increased cotton production. Anglo-Americans realized that the eastern areas of Texas were not only fertile but also plentiful to produce cotton. This led newly arriving Anglo-Americans as well as Anglo-Texans to purchase more slaves through the domestic slave trade and, more importantly, through the illicit slave trade. The number of slaves entering around 1836 increased significantly. Texas, as an independent nation, was under no legal obligation to stop the trade. Du Bois argues Texas used both the domestic slave trade and the illegal African slave trade to meet its labor needs. The fear was that, with so many slavers realizing this “great opportunity,” Texas would be inundated with slaves and surplus African slaves would make their way into other states.¹⁵

Revolution (Austin: University of Texas Press, 1994). For a dispelling of the hagiography surrounding the martyrs of the Revolution see, William C. Davis, *Three Roads to the Alamo: The Lives and Fortunes of David Crockett, James Bowie, and William Barret Travis* (New York, Harper Perennial, 1999), 531-589. The real truth behind the Mexican defeat centers on the instability of the Mexican government from its own independence from Spain. See Timothy Anna, *Forging Mexico, 1821-1835* (Lincoln: University of Nebraska Press, 1988), 104-33.

¹⁴ W.E.B. Du Bois, *The Suppression of the African Slave Trade, 1638-1870* (New York: Kraus-Thomson 1896 and 1973), 154-155.

¹⁵ *Ibid.*, 154-155. Slave trading between Texas and the United States was considered legal whereas the

In using the illicit slave trade as a global human rights issue, Great Britain inserted themselves into Texas' national and economic politics. Far from altruistic, Great Britain could surely see the economic benefits of allying themselves with Texas. According to Du Bois, it would not be until the late 1840s before the United States or Great Britain would deploy its navies into the Gulf of Mexico and make a half-hearted attempt to stop the trade.¹⁶ Especially striking, is that Spain initially reacted by allowing slavers to use its flag to bypass British and American naval ships, illuminating diplomatic power plays between these nations around the issue of the slave trade. By using diplomacy, these nations attempted to find ways to abolish the slave trade while maintaining a balance of power in the Atlantic World.¹⁷

My dissertation is situated in this Atlantic World and re-examines early Texas histories, such as those pushed forward by Eugene Barker, one of the earliest and preeminent historians of Texas history, who minimized slavery in Anglo-American expansionism into Texas. His work on the colonization of Texas set the pattern in the

slave trade between Texas and Cuba was deemed illegal.

¹⁶ Mexico was forced to give the British Navy access to its surrounding waters and ports due to the amount of money the country borrowed from England. England still had islands in the Caribbean. Thus, the British Navy polices the Gulf of Mexico especially under the guise that they were looking for slavers.

¹⁷ In the Webster-Ashburton Treaty, negotiated by Daniel Webster, United States Secretary of State, and British diplomat, Alexander Baring, 1st Baron Ashburton, the two countries agreed to suppress the Atlantic slave trade. *Webster-Ashburton Treaty 1842*, Yale Law School, The Avalon Project: Documents in Law, History and Diplomacy, http://avalon.law.yale.edu/19th_century/br-1842.asp, retrieved 2017.

historiography that erases slaves from Texas history. The prevailing thesis in Texas history posited that by grit and determination freedom-loving Anglo-Americans wrested Texas from an oppressive Mexican government. In Barker's article on colonization, he attacked abolitionist Benjamin Lundy's pamphlet, which claimed that Texas dissolved its relationship with Mexico due to the issue of slavery.¹⁸ Barker says that contrary to this 'myth,' slavery came to Texas with people who immigrated to Texas prior to 1835. Anglo-Texans, he argues, always assumed that the United States would buy the territory as it had done with Louisiana in 1803. Nevertheless, when it did not, Texans tried to work around the system by sending Stephen F. Austin as their representative to legalize slavery and protect their land rights. However, Mexico's refusal to listen to any issues concerning Anglo-Texans fed these settlers' revolutionary zeal. Barker contends that the original Anglo immigrants to Texas wanted to be 'Jeffersonian' farmers. In reality, most were speculators who saw the benefit of cheap land.¹⁹

My work builds on the foundational work of Randolph Campbell's *An Empire for Slavery*, which illustrates the growth and development of slavery in Texas.²⁰ He argues that the westward expansion of slavery in Texas began with Texas' independence from

¹⁸ Eugene C. Barker, "The Influence of Slavery in the Colonization of Texas," *Southwestern Historical Quarterly*, XXVIII (July, 1924), 1-33.

¹⁹ *Ibid.*, 30.

²⁰ Randolph Campbell, *An Empire for Slavery: The Peculiar Institution in Texas, 1821-1865* (Baton Rouge: The Louisiana University Press, 1989).

Mexico in 1836. During the years of the Republic, the British consulate in Galveston pushed for permission to deploy its navy along the Gulf Coast. While Campbell hints that Texas tried to work with the British to end the illicit slave trade, Texans refused to negotiate the legality of slavery. Great Britain and Texas worked together, and one can only guess that this dialogue was made possible by the vast amount of money Texas borrowed from England. Campbell is clear that the number of slaves increased in areas experiencing labor shortages, like Matagorda, in South Texas.

Andrew Torget's work on the Texas Borderlands is one of the recent works that has been built on Campbell's book. Torget argues that cotton was the catalyst for Texas' transformation. This transformation was primarily economic, as Texas navigated the market economy which reached as far as England. Torget is clear that this economic change was built on slave labor. I argue that diplomacy is key to understanding slavery in Texas. Diplomacy was built on slave labor as cotton opened the global door for Texas. Diplomacy, also, created the commercial network in which Texans sold and profited from their cotton. However, the study diplomacy has been historically relegated to secondary importance and seen as outdated. My study uses this older discipline to understand the global implication of slavery and the antislavery movements.²¹

My study compares to other studies such as Gerald Horne's *The Deepest*

²¹ See Andrew Torget, *Seeds of Empire: Cotton, Slavery, and the Transformation of the Texas Borderlands, 1800-1850* (Chapel Hill: The University of North Carolina Press, 2015). 20-73.

South, which loosely uses diplomacy to understanding the continuing illegal African slave trade.²² He questions the actions of a United States' diplomat to Brazil, Henry Wise, who in 1856 turned a blind-eye to the increasing number of Africans illegally being transported for sale in Brazil. Wise's actions led Horne to conclude that southerners, who held these types of positions, envisioned an empire for slavery.

Similarly, Ernest Obadele-Sparks, in *Freebooters and Smugglers*, continues with the theme of the United States turning a blind eye to the illegal slave trade.²³ He argues that slave traders manipulated diplomatic treaties and national laws to smuggle slaves. Obadele-Sparks tells the story of the Bowie brothers smuggling illegal African slaves through Texas into Louisiana, then "capturing" the same slaves for a reward from the United States. When local officials sold these captured slaves, the Bowie brothers repurchased them at a lower cost. They not only made a profit from the reward but now had legal title to the slaves and could sell them across the American South.

Filibustering, private citizens trying to acquire territory for Americans, was an extreme form of slave diplomacy.²⁴ The annexation of Texas validated filibusters and it

²² Horne, *The Deepest South*: 67-85. The latest book that refines Horne's argument is Matthew Karp's *This Vast Southern Empire: Slaveowners at the Helm of American Foreign Policy* (Boston: Harvard University Press, 2016).

²³ Ernest Obadele-Sparks, *Freebooters and Smugglers: The Foreign Slave Trade in the United States after 1808* (Little Rock: University of Arkansas Press, 2007), 46-75.

²⁴ Robert May, *Manifest Destiny's Underworld: Filibustering in Antebellum America*, 20-45. May argues that Texas Revolution was sparked by filibusters, who successfully wrested Texas from Spain.

is no surprise that filibustering increased after 1845. Robert May contends that smugglers used Spain's North American presence to illegally import African slaves from Texas to Louisiana. Using biographies of Narciso Lopez and William Walker, May argues that these filibusters were seeking places to "shore up" the institution of slavery.

My work focuses on an earlier period when Texas became a newly independent nation (1836-45). I argue that Texas crafted "slave diplomacy" while nations like the United States and Great Britain urged Texas to limit the number of slaves entering the territory. My dissertation delves into the lives of the diplomats and their actions alongside the lives of slaves. In my initial research, there seemed to be little in common between diplomacy and slavery. What soon became clear was that 4 out of 5 of the diplomats were slaveholders. These four men lacked diplomatic experience as they crossed the Atlantic Ocean in search of diplomatic recognition, commercial treaties, and loans. Their slaveholding status was under constant attack and for the diplomats, the issue of slavery was non-negotiable.

My dissertation seeks to illuminate the ties between diplomacy and the westward expansion of slavery. Texas was the last slave state to be admitted into the Union. With annexation, the Gulf Coast Region became the center for cotton production (the emergence of slavery-capitalism) which later, provided the financial background for eventual secession.

CHAPTER 1

OPENING THE WEST TO SLAVERY

On June 18, 1821, Stephen F. Austin left for Texas after learning his father lay dying on a kind stranger's sickbed. Stephen and his father Moses initially traveled together from Missouri with the plan for Stephen to take care of some financial business for the family in New Orleans while Moses continued to Mexico to solicit a land grant. After staying in New Orleans without word from his father, Stephen wrote his mother about an opportunity to become a lawyer. The only problem was that he was broke and if he accepted this apprenticeship, he would not receive any pay for 18 months. He worried how his mother and siblings would fare during this period and of any legal ramifications he would incur from his creditors in Missouri. By the time Stephen had made up his mind to become a lawyer, his father had been successful in gaining the land grant. In that one moment, the family's dire circumstance changed overnight; however, with that bit of good news came an urgent request to accept the arranged passage to Texas as his father lay deathly ill.¹

Austin, who lived his whole life in the borderlands, was well prepared for the challenges as an empresario of Texas. In the role of empresario, he honed his skills as an unofficial diplomat. He was in charge of surveying land, but he spent the majority of his time trying to make peace between the Anglo-Americans and the

¹ "Journal of Stephen F. Austin on His First Trip to Texas, 1821" in *The Quarterly of the Texas State Historical Association*, Vol.7, (Aug, 1904), 286 and Eugene C. Barker, *The Life of Stephen F. Austin : The Founder of Texas, 1793-1836* (Austin: The Texas State Historical Association, 1949), 31.

Mexican government. In his role as an unofficial diplomat, Austin worked to open, and in the convening years, keep open the West to slavery.

For most of his younger life, Stephen F. Austin lived in the borderlands or the frontier. When his father Moses' mining business failed in Virginia, he fled with his family to Spanish Missouri to salvage his career. When he arrived in Missouri in 1796, he discovered a lenient land policy that allowed him to accumulate several mines and a sizeable land grant based on homestead, not monetary rules.² This land policy afforded him prime property along the river close to the town of Potosi and near the location of his mine. The officials granted land claims based on the size of one's family. Moses' family consisted of himself, his wife Mary, two sons and a daughter. As part of the homestead agreement, Moses, as head of household, was obligated to the community to help maintain the levees if the river overflowed as well as to improve his land. The homestead restricted him from selling his land for three years, unless he could prove to the surveyor or town leader that the land was infertile. Homesteaders could not lend, bet, or mortgage this "claimed" property. The Spanish hoped to deter speculation. To prevent land conflicts, surveyors notarized land titles to make them official. Failure to live up to these obligations led to the forfeiture of their land grants.³

² Manuel Gayoso de Lamos, "Spanish Regulations for the Allotment of Lands, No. 1, Instructions of Governor Gayoso for the Administration of Posts and the Distribution of Lands" in Henry S. Geyer, ed., *A Digest of the Laws of Missouri Territory Comprising an Elucidation of the title of the United States to Louisiana:--Constitution to the United States:--Treaty of Session:--Organic Law:--Laws of Missouri Territory, (alphabetically arranged): --Spanish regulations for the allotment of lands:--Laws of the United States, For Adjusting Titles to Land, &c; To which are added, a variety of Forms, useful to Magistrates.* (St. Louis: Printed for the Publisher, by Joseph Charles, at the Missouri Gazette Office, 1818). New Orleans 9 Sept 1797, p. 438-440. Barker, *The Life of Stephen F. Austin*, 7.

³ Juan Ventura Morales, "General Regulation and Instructions of Morals, for Conceding Lands. Don Jon Bonaventure Morales, Principal Comptroller of the Army and finances of the provinces of Louisiana and West Florida, Indendant (per interim) and sub-delegate of the superintendence, general of the same, Judge of admiralty and the of the lands &c. of the King, &c.," in Henry S. Geyer, ed. *A Digest of the Laws of Missouri Territory*, 441-449.

While Spain spelled out carefully its land policy, Missouri lacked a slave policy until it applied for statehood. Moses ran a household and business with slave labor. The same year, Moses built Durham Hall for his family, he purchased a “Negro wench” for \$361 from a Mr. Morrison.⁴ Looking at Moses Austin’s 1815 slave registry and comparing it with the high price he paid suggests the slave was youthful and skillful. It is quite possible that this unnamed female slave was Nance, who ran the kitchen.⁵ This list, which contained a dozen slaves, detailed the overseers’ duties suggesting that Moses Austin kept the majority of his slaves for at least 8-10 years. Stephen, the oldest son, came to know and associate with these slaves. In 1811, Moses hired Toney, a Negro from Francis Major for almost three months to work at Mine-a-Breton, Moses’ main producing lead mine.⁶ During the War of 1812, Moses kept waiting for the price of lead (mineral) to skyrocket, but the price held steady. Even as money tightened, he continued to gamble on the future of lead prices and sought the purchase of 30 slaves. He intended to retain 15 and give the other 15 slaves to his business partner, James Bryan. Later, he told Bryan to get as many slaves as he could⁷ By 1815, his slave registry shows three slave dwellings, although

⁴ [Transcript of receipt of payment from Mr. Austin to William Morrison for one slave, June 26, 1799], Text, June 26, 1799; digital image, (<http://texashistory.unt.edu/ark:/67531/metaph215986/> : accessed September 13, 2013), University of North Texas Libraries, The Portal to Texas History, <http://texashistory.unt.edu>; crediting Dolph Briscoe Center for American History, Austin, Texas.

⁵ On Moses Austin’s property, he housed slaves in three places, two run by men and one designated as Nance’s Kitchen.

⁶ “Bill for Hire For Negro,” Barker, ed. *The Austin Paper*, Vol. I (p.188) (Note: *The Austin Papers* are compiled by Barker in three hardback volumes and are available digitized into two online volumes. At the beginning of my research, I used the hard copy/microfilm, and as it became digitized, I used that version. For example, Houston Public Library encourages use of their online version to preserve their hardcopy version of the *Austin Papers*. My footnotes reflect a use of both the hardback and online versions. I encourage scholars interested in following up on my footnotes concerning the *Austin Papers* to use the date as the main point of consistency in either version.)

⁷ Moses Austin to James Bryan, Barker, ed. *The Austin Papers*, Vol. 1 (P. 241)

he barely had enough food to feed his slaves.⁸ Although Moses sent Stephen back East for schooling, he was well aware of the two worlds in which he lived; slavery was the part of both worlds. Without the work of slaves in his father's mines, Stephen's board and tuition would not have been paid. So essential was slavery to the Austin household, Moses confidently allowed Stephen to enter into a bargain with Colonel Anthony Butler of Kentucky to use his slaves to mine lead in 1812. While this trade, at first, appeared fortuitous to the cash-strapped family, for some unknown reason, the relationship soon soured.⁹ Stephen was not an ingénue to the issue of slavery as some of his biographers would pretend. He knew from youth the importance of their labor which could make or break a venture—whether coal mining or creating a successful sugar or cotton plantation.

When the United States annexed Missouri, Moses Austin not only faced a different political landscape but one that affected his overall wealth.¹⁰ With annexation, first came the speculators buying land that many Spanish Missourians considered "common land." This "common land" usually was a neighboring acre or

⁸ Moses Austin to John Brickney, Barker, ed. *The Austin Papers*, Vol. 1 (p. 247-251). John Brickney appears to be a new overseer and was given a long memorandum of duties he was to carry out as well as a list he was to keep concerning the slaves, supplies (especially foodstuffs), and other workers living on the property. There were three slave dwellings. The first, Ellick's, housed six slaves and two children. In slave Bill's house, seven men and women lived with children. Thirteen slaves resided in Nance's kitchen and they ranged in age. By 1815, over 30 people lived on Austin's property and record keeping of how much food, wood, and other supplies became very important as money became tight.

⁹ Barker, *The Life of Stephen F. Austin*, 22. By 1812, the Austin family was simply keeping up appearances. Moses' wife noted when she accompanied her two youngest children East to place them in school that, not only was there a difference in money in East and the frontier (West), in the West, money went further. The highly inflated money in the East left Ms. Austin feeling as if storekeepers were overcharging her because she was "country" or did not understand "business matters." Destitute, they left and secured passage with James Bryan, an older gentleman, who sought the hand of Emily, Stephen's sister. Moses, at this point, had no choice but to trust Stephen and enter into a relationship even if it did not give them the control or profit sharing that he usually enjoyed. Every move Moses made from 1812 was a financial gamble that kept his family on the brink of bankruptcy.

¹⁰ The Missouri territory was part of the Louisiana Purchase. Using the roadmap provided by Northwest Ordinance that outlined how a state became a territory, Missouri applied for annexation in 1820.

mine, but as long as a homesteader made improvements to the land, then officials turned a blind eye towards proper ownership (i.e. notarized paperwork stating ownership). Missourians like Moses occupied many of these “common lands,” and when immigrating people began to purchase these lands, which were “improved,” Moses had little recourse in retaining his land. He resisted by squatting on his common lands and appealing to the United States provisional governor James Wilkerson. In both instances, he lost and without money to purchase his “common lands,” his estates decreased by more than a half. His income already dependent on a fickle lead market was now in jeopardy, as he lost one of his mines.¹¹

Moses was facing financial disaster. He hoped that the War of 1812 would change his fortunes, but it did not change the demand for lead as he hoped. By 1815 with his money and credit tightened, Moses continued to gamble; he just needed one big break. Against great odds, he opened the first bank west of the Mississippi River, but he lost everything in the Panic of 1819. In an attempt to recoup his losses, he went in search of new opportunities and returned to a familiar place: Spanish Texas.

In Spanish Missouri, Moses Austin was introduced to the idea of being a surveyor, someone who received his income not from the crown, but from new arriving immigrants. Familiar with Spanish law, he hoped his knowledge of Spanish land policy would lead to a successful application for a land grant in Texas. With his slave Richmond, he traveled southward to Texas in 1821. He also sent Stephen to New Orleans to sell anything of worth that the family had left in order to stave off bankruptcy and creditors and to send money home to his mother to keep them

¹¹ Barker, *The Life of Stephen F. Austin*, 22.-30.

housed.

Without Richmond, both Moses Austin and his son would have failed to secure the Spanish land grant and the position of empresario. In 1815, Richmond lived in the kitchen in Durham Hall, which was located at the back of the house. This cramped space housed 12 other slaves, mostly men with the exception of one woman.¹² On Moses Austin's estate, slaves lived in three different quarters. Moses ordered his new overseer, John Brickey, to keep a strictly structured day for his slaves. He worried about "strange negroes" and "Negroes and Whites" working together using tools for smelting.¹³ Richmond may have escaped from the mines, but he had plenty of work on the plantation. They did not tolerate idle hands. If not acting as a manservant, then he repaired broken mining equipment or cleaned the barn.

By 1819, Moses Austin faced financial ruin. Dunham Hall was lost, the bank he founded closed, and he was in the process of selling off everything to stave off creditors. Richmond was one of the few slaves the family chose to keep, thus showing Richmond played an important role to the family. Stephen F. Austin as well as his sister Emily and her husband James Bryan went further into the frontier and sought to recoup their losses in Arkansas. When Moses took his last chance to financially recoup his losses, he took Richmond with him to Little Rock, Arkansas to meet Stephen in hopes of borrowing money.

For Richmond, leaving Missouri meant entering into a new world and embarking on a geographic journey that covered "three-dimensional spaces and places, the

¹² Memorandum of the Negroes Names and Messes, *The Austin Papers*, V.1, p. 250.

¹³ Moses Austin to John S. Brickey, (Feb. 22, 1815), *The Austin Papers*, V. 1, 247-249.

physical landscape and infrastructures, geographic imaginations, the practice of mapping, exploring, and seeing, and social relations in and across space.”¹⁴ This was no ordinary trip to town on a quick errand or a short jaunt down the river to pick up supplies. Moses secured passage on a shipping vessel heading south on the Mississippi River. The further south they traveled, the noises, the busyness, and the smells had to excite Richmond. At every dock, black sailors and longshoremen gossiped about far off places. Richmond saw the network of “freedom talk” where slaves whispered, memorized, and carried stories of gradual or immediate emancipation.¹⁵ Instead of feeling fear in entering into a new place, one can only imagine how shocking and how unbelievably exciting it was for a slave who possibly had never left Mine-a-Breton, Missouri.

When they arrived in Little Rock, Richmond, no stranger to the Austin family’s financial situation, realized Moses needed to do some fancy talking. Stephen had to call in some loans, but it still was not enough money to finance a trip for his father and Richmond to travel and stay indefinitely in Texas. Finally, Stephen acquired a loan for \$850. If Moses could not pay it back, then he would forfeit Richmond, who was worth \$600, his horse which was worth \$250, his son-in-law’s \$50 mule, and \$50 in cash. Richmond’s value was especially high since a financial panic was occurring in the

¹⁴ Katherine McKittrick, *Demonic Grounds: Black Women and the Cartographies of Struggle* (Minneapolis: University of Minnesota Press, 2006), 7.

¹⁵ W. Jeffery Bolster, *Black Jacks: African American Seamen in the Age of Sail* (Cambridge: Harvard University Press, 1999) and for a well-written description of what I term this “freedom talk” network, see Edward Bartlett Rugemer, *The Problem of Emancipation: The Caribbean Roots of the American Civil War* (Baton Rouge: Louisiana State University Press, 2008), 1-96. Rugemer traces abolitionist missionaries like Pastor James Smith movements to slaves’ acts of rebellion. They fear that he is preaching freedom but Rugemer points out that there were plenty of networks in which slaves heard of freedom and passed this information to the next slave. These freedom talk networks started with eavesdropping to reading. Once news hit these networks, it passed on quickly and clandestinely. What is interesting is where the information stopped or how it was stopped.

United States and credit was limited, especially in the South and West. Noticeably, without Richmond, a slave valued at \$600, Moses would not have secured the loan, and the last part of their journey would have ended in Little Rock.

Moses and Richmond left for Bexar (San Antonio). One can imagine that they were not dressed to attract attention to themselves and were saving their “finery” to meet with Spanish officials. As they traveled further southwestward, Richmond saw a land of freedom in its most natural form; Moses saw the same land as conquerable, something from which to profit. Richmond rode by Moses’ side and when they arrived in Bexar, he dressed in his finery to present himself to the Spanish officials as a slave to a man of means. Walter Johnson writes about how slave owners prepared slaves before auctions—blackening their hair, “greasing” their skin, hiding sores or disfiguring scars. They did this to fetch a better price, avoid a bad owner, or avoid further punishment.¹⁶ Richmond must have made extensive preparations after weeks riding a mule and living in the wilderness. The Spanish government initially threw Moses out without listening to his petition, but with the help of an old friend, the Baron de Bastrop, he was able to gain another meeting. Again he brought Richmond because, without him, Moses had no way to show his financial worth.¹⁷

After securing the prized empersario contract, Moses Austin, unexpectedly ran into troubles on his way home. They fought with the group of men with whom they had left Texas; the men took their food and gunpowder, leaving Moses and Richmond

¹⁶ Walter Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market* (Cambridge: Harvard University Press, 1999), 117-135.

¹⁷ Examination of Moses Austin, *The Austin Papers*, Vol.1, 370. It mentions that at the interview Moses arrived with two other persons.

with little means to survive. After Moses and Richmond ran out of food, Richmond first fell so ill that he was left behind to recover at Douglass Forsythe's plantation.¹⁸ Moses and Forsythe entered into an agreement in which Forsythe would pay for a doctor and any healthcare for Richmond. In return and after Richmond recovered, he was to labor for \$12 a month until the bill was paid or Stephen arrived and covered his costs. After the medical bill was paid, any money Richmond's labor earned was to be credited until Stephen or he could collect it.¹⁹ Obviously Richmond worked on a plantation, but he also worked in the kitchen and did chores around the house. The Forsythe plantation was a real southern plantation producing sugar or cotton. He may have heard of these kinds of plantations, but never expected to work on one. Moses left Richmond's life in Forsythe's hands. Moses did not know anything about this man but that he offered his services and accepted his agreement. In less than a couple of days, Richmond changed from being the person who helped secure the empresario to being less than human.

Moses made arrangements for Stephen to leave New Orleans and for him to arrive in Natchitoches, Texas. With the urgency of meeting with his father on his

¹⁸ Barker mentions that Moses Austin was used to traveling and spending extravagantly to impress at the beginning of the trip, leaving him broke and scrambling on the way home. What Barker does not mention, but is quite apparent from descriptions of "sickness" and how many people were sick and corpses were lying about, that Moses Austin and Richmond ran into a Yellow Fever Epidemic. Moses Austin left Richmond at Douglass Forsythe, who had a plantation on the Sabine River. Stephen Austin claimed on the return passage, his father allowed two men to travel along with them. During a discussion, he realized that the two men accompany them had stolen goods jeopardizing his newly granted empresario. These outlaws quickly overpowered Moses and Richmond taking their food, gun, and gunpowder, leaving them little chance to survive in the wilderness. They were still some distance from the Sabine River. They quickly succumbed to exhaustion, dehydration, and hunger. When combining Austin's account and even Barker's and the possibility of a Yellow Fever outbreak, it becomes clear that the situation left both men too weakened to fight the disease.

¹⁹ Authorization To Employ A Negro Slave, Richmond, *The Austin Papers*, Vol.1. 375, and Barker, *The Life of Stephen F. Austin*, 26.

sickbed, Stephen hesitated; he had secured an apprenticeship in New Orleans to study law and there was no money. He could not afford another adventure.²⁰

Stephen did not leave until he heard his father was actually on his death bed.

Nevertheless, with the help of his father's friends, he set off from New Orleans with about eight men who were surveyors. Next, he went in search of his father's land and Richmond.

Cash-strapped Stephen knew that Richmond was Moses' most valuable asset, and he acted as any slave owner in a desperate situation would: he placed Richmond on the selling block. When Richmond heard of Stephen's arrival, he may have hoped to return to the Austin household. Since at least 1815, he had survived many hardships with the family and had remained loyal. He saw the land of freedom and, yet, he still dressed formally and presented himself as a slave, knowing quite well that his master was deeply in debt.

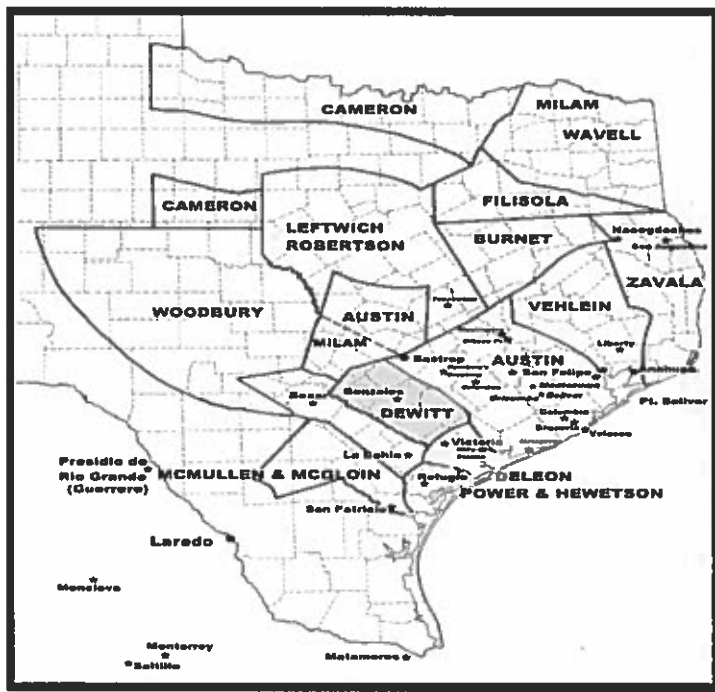
Richmond's story shows that slavery played a key role in assisting the Austins in securing their land grant and the role of empresario. In Stephen's journal, he writes one line about the sale of Richmond. Yet, he knew Richmond for over six years and presumably even lived in the same house with him, so Richmond was no stranger to him.²¹ The Austins purposely erased Richmond from the triumphant narrative. Admitting that a slave was integral to their success would have diminished their success, making them less patriarchal and therefore unworthy of the grant. Stephen F. Austin was conscious of the image he projected and was well aware of the

²⁰ Stephen F. Austin to His Mother, (January 20, 1821), *The Austin Papers*, Vol. 1, 373.

²¹ "Journal of Stephen F. Austin on His First Trip to Texas, 1821" in *The Quarterly of the TSHA*, 287.

importance of the introduction of slavery in Texas. Richmond's story highlights that Austin was familiar with the institution of slavery, and willing to use slaves achieve his goals. Clearly, he was not the naïve ingénue portrayed by Barker and Cantrell when it came to the subject of slavery. Sadly, Stephen never made it to his father's sickbed before Moses died. This sentence seems out of place – you are talking about slavery and then pop back to dead Moses.

Colonization and slavery went hand in hand. While making declarations about the evils of slavery and the slave trade, the newly independent Mexican government rewarded colonization grants with conflicting instructions concerning the introduction of slaves in the territory. When Austin first arrived in Texas, he claimed he was a stranger and penniless. While he was definitely low on money, claiming to be a stranger to Spanish customs and law seemed a stretch.



Empresario Map (credit: Sons of Dewitt Colony Texas)

Convincing his settlers to accept a new Spanish/Mexican culture proved to be one of his toughest challenges as an empresario. He saw this firsthand when he arrived in Mexico in 1821 to regain his father's empresario contract. Three other Americans, as well as several Europeans, awaited Mexico's decision on their land grants. Benjamin Milam reported that many of his fellow Americans were leery of moving to Spanish Texas without their slaves. Austin noted other applicants: Andrew Erwin and Robert Leftwich of Tennessee, General James Wilkinson, an Irishman who wanted to settle 5,000 Irish, and a German (presumably Vehlein) who hoped to bring 8,000 Germans to settle in Texas—that stood before the Mexican Congress awaiting a decision on the issue of slavery.²² He argued that their queries to the General of the Mexican Junta, Iturbide, about the legality of slavery in their new country went unanswered.²³ The new junta worried more about nation building than dealing with the issue of slavery. Therefore, they left the slavery question unanswered. After an 11-year Civil War with Spain, Mexico finally achieved independence in 1824, gaining control of a large area of land that stretched from the Pacific Ocean southward to the

²² Erwin and Leftwich formed the Nashville Company, which fronted itself with good intentions but turned out to be speculators. This caused some tension among the empresarios and almost caused them to lose their land grant. Barker, *The Life of Stephen F. Austin*, 46-47. There was a longstanding belief that German immigrants in Texas tended to be antislavery or did not own slaves due to their economic circumstances (usually arrived poor), crops they chose to harvest (wheat, potatoes, and other grains), and the region where they settled (the Hill Country). See Terry Jordan, *German Seed in Texas Soil: Immigrant Farmers in 19th Century Texas* (Austin: University of Texas Press, 1970), 60-117. Historians, like James Kearney, in his study of the Nassau Plantation owned by Joseph Count of Boos-Waldeck and Viktor Count of Alt-Leninigen-Westerberg, German aristocrats, located around Round Top, Texas, argued that Germans "experimented" with slavery. The plantation was never successful financially but "it succeeded in solidifying and enriching the German presence in Central Texas."

²³ Barker, *The Life of Stephen F. Austin*, 46.

Gulf of Mexico and finally reaching its northern boundary, the Red River. ²⁴

Stephen F. Austin never hid the fact that settlers in his colony, like Jared Groce, a Georgian, brought 90 slaves and established the Bernardo Plantation on the Brazos River.²⁵ Nor did he ever agree to set up a colony free of slaves. While Austin attempted to follow the Colonization Act, he faced difficulties getting his settlers, mainly American southerners, to obey the law. The Colonization Act called for immigrants to renounce their citizenship and become Mexican citizens, convert to Catholicism, protect the land from outlaw Native Americans and American squatters, and stay within the confines of the particular land grant.²⁶ In becoming the empresario, Austin's position forced him into the role of de facto diplomat and representative for Anglo-Texans in the face of growing dissatisfaction with new stricter colonization laws that limited not only settlers' movements, but also slavery.

The first attack on slavery came from General Augustin Iturbide's government. In establishing the rules of colonization, Iturbide's government laid out a roadmap for the settlement in Texas in 1823. In exchange for cheap land and new opportunities, emigrants forfeited their native citizenship and accepted Mexican citizenship, vowed to become Catholic, and promised to abide by the rules of the local empresarios, who were designated as officials of the Mexican government.²⁷ In one of the last articles of

²⁴See Donald Chipman, *Spanish Texas, 1519-1821* (Austin: University of Texas Press, 1992), 43-62 and 105-126; Timothy Henderson, *The Mexican Wars of Independence* (New York: Hill and Wang, 2009), 160-180; and Paul Vanderwood, "The Millennium and Mexican Independence: Some Interpretations," in Christin I Archer, ed. *The Birth of Modern Mexico, 1750-1824* (New York: Rowman and Littlefield Publishers, Inc., 2003) 162-186.

²⁵ Randolph Campbell, *An Empire for Slavery, The Peculiar Institution in Texas, 1821-1865* (Baton Rouge: Louisiana State University Press, 1991), 14.

²⁶ Barker, *The Life of Stephen F. Austin*, 54.

²⁷ General Iturbide needed the support of the Catholic Church. With their support, he declared himself emperor Augustin I.

the colonization law, the government prohibited slaves, sold or purchased, from entering the territory.²⁸ By 1825, Austin, as a delegate for his colony, attended government meetings where he fought successfully against Mexican law that denied slave owners the right to transport or introduce their slaves into Texas and other uninhabited regions of Mexico. These actions led to the opening of the West to slavery.

Stephen Austin had little choice but to make his land grant a success, and he was surrounded by other empresarios. Yet, he did not have his father's business acumen. As an *empresario* or land agent, he first attempted to charge immigrants 12 cents for every acre. A family of four with two slaves was allotted 1,760 acres, which netted Austin a profit of \$211.20. The first immigrants agreed to pay an exchange fee for surveying the land, as well as completing and filing the appropriate paperwork with the Mexican government. Immigrants, as Barker aptly points out, perceived Austin's "surveyor's fee" as a way to hurt the yeoman farmer or someone starting over. They complained that Austin unduly taxed them, especially when they learned that the Mexican government paid or rewarded him with additional land for fulfilling the requirements of the land grant. Most colonists did not understand that for the empresario to get paid, he had to fulfill *all* of the requirements of the land grant. For Austin that meant not receiving payment from the government until all 300 emigrants, which he assured contractually immigrated to his colony, settled on their land grant. As a new empresario, he turned to the Baron de Bastrop, who was also a Land

²⁸ Andres A. Tijerina, *Tejanos and Texas Under the Mexican Flag, 1821-1836* (College Station: Texas A & M Press, 1994).

Commissioner.²⁹

For immigrants, liberty was tied to the westward expansion of the United States. If they lost their land and livelihood in the Panic of 1819, then it was their right to cross “arbitrary boundaries” in search of cheaper and more fertile land.³⁰ While the United States publically condemned the actions of American settlers who encroached on land in Spanish Texas and Indian Territory, privately they abetted the participants in the western movement. The Northwest Ordinance of 1787 acted as a blueprint for western territories to apply for statehood. While immigrants probably agreed with Historian Frederick Jackson Turner’s argument that the history of the United States was one of westward expansion. He contends, first, that the Union had a strong nationalizing tendency as seen in the case of the Louisiana Purchase of 1804. Secondly, moving westward appealed to the strong individualistic characteristic of Americans. Lastly, opening up the frontier allowed for the opportunity to spread democracy.³¹ Anglo-Americans in Texas held steadfast to these tenets of American democracy: the settlers sought to Americanize Texas. However, the West was not a frontier but place of established communities populated with Native Americans and Mexicans.³²

Immigrants were charged \$127, which Austin and de Bastrop divided between

²⁹ Barker, *Stephen F. Austin*, 87.

³⁰ For more on the Panic of 1819 see Murray N. Rothbard, *The Panic of 1819: Reactions and Policies* (Albany: Ludwig von Mises Institutes, 2007), 1-36, Daniel Walker Howe, *What God Hath Wrought: The Transformation of America- 1815-1848* (New York: Oxford University Press, 2007), 142-43, and Harry L. Watson, *Liberty and Power: The Politics of Jacksonian American* (New York: Macmillian, 2006), 35-41.

³¹ Fredrick Jackson Turner, *The Frontier In American History* (New York: Holt & Co., 1935).

³² Patrice Nelson Limerick, *The Legacy of the Conquest: The Unbroken Past of the American West* (New York: W.W. Norton, 1987), 134-179.

themselves and provided them with their first glimpse of profit in this money-making venture.³³ In settling Texas, they quickly realized wealth lay in selling land quickly and in large acreage. In order to meet his goal of settling 300 families, Austin had to sell the idea that industrious settlers could not only support their families by working the land, but eventually expand their holdings and, thus, move up the social ladder. He sent a letter to the *Florida Gazette* that quickly circulated to other newspapers, announcing his father's death and his plan to fulfill his father's objectives. The land, he announced, was located by the Brazos and Colorado Rivers, a navigable and, thus, a reliable means of transporting sugar, cotton, or lumber. Austin's land was forty miles from the seacoast and ninety miles southeast of San Antonio. Using the Spanish Missouri homestead system, heads of household were eligible for 640 acres, with an additional 320 acres for wives, 320 acres for each child, and 80 acres per slave. The soil, he boasted, was black and deep. Lastly, he encouraged people to imagine wide open fields that were ready to be improved.³⁴

The next challenge to slavery came quickly. In 1823, Antonio Lopez de Santa Anna overthrew the government of General Iturbide and installed a new republican government. In their revolutionary zeal, the new government turned their attention to re-structuring Texas and realized they needed more control over their growing colonization process. Rumors abounded that the new government would abolish slavery. In response, Austin and the settlers petitioned the new government.³⁵

³³ From the figures provided by Austin, in which a family of four with two slaves purchased 1700 acres of land for \$211, Mexican approved colonization plans favored families over individuals where immigrants (suggesting individuals) were paying \$127 for undetermined amount of land. As Austin suggest they made more money from such individuals.

³⁴ "Texas," *Florida Gazette*, Saturday, December 1, 1821.

³⁵ Petition Concerning Slavery, June 10, 1824, *Austin Papers* I, 827.

They also claimed exemption under the 1823 Colonization Act from any new abolitionist laws.³⁶ They declared that their slaves were not traded or sold for profit and were used to transform Texas from a wilderness into an agricultural haven. Austin and his cohorts quickly indicated that they were not slave traders, but owners of slaves.

With the Decree of 1824, titled "Prohibition and Commerce of Slaves," the Mexican government attacked the slave trade.³⁷ The decree defined the trade as the selling and/or bartering of slaves, regardless of whether the sale of a slave was between a colonist and a New Orleans' slave merchant, between two settlers, or from an African slave ship. Mexico declared this trade barbaric and inhumane. This piece of legislation prohibited the slave trade and vowed to free any slaves that were brought into Texas or Mexican territory contrary to previous laws. The third provision declared "every vessel, whether national or foreign in which slaves may be transported and introduced into Mexican territories, shall be confiscated with its cargo—and the owner, purchaser, captain, master, and pilot shall suffer the punishment of ten years confinement."³⁸ While the legislation angered Texans, it did not surprise them. Rumors, some published, hinted at a growing abolitionist spirit in Mexico City.

Again through petitions and memorials, Austin sought to recast slavery and the

³⁶ Ibid., 827.

³⁷ Benjamin Lundy, *The War in Texas, A Review of the Facts and Circumstances Showing that the Contest is a Result of a Long Premeditated Crusade Against the Government, set on foot by Slaveholders, Land Speculators, &c. With the view of Re-establishing, Extending, and Perpetuating the system of Slavery and the Slave Trade in the Republic of Mexico*(Philadelphia: Benjamin Lundy, Merrihew and Gunn, 1836), 27; Barker, "Influence of Slavery in the Colonization of Texas," 8.

³⁸ Lundy, *The War in Texas*, 27.

slave trade in a different light. In his "Petition Concerning Slavery," he specifically pointed out that there were no slaves of African descent, a declarative sentence that held a wealth of meaning.³⁹ For Anglo-Texans the African slave trade differed significantly from the domestic slave trade. The United States had outlawed the African slave trade in 1808. For example, in his discussion of United States imperialism, Brazil, and the creation of a slave empire, Gerald Horne argues that United States' slave merchants circumvented the prohibition of 1808 by first stopping in Brazil.⁴⁰ This short stop allowed them to "legalize" their slaves. W.E.B. DuBois argues that Great Britain could not board any vessel carrying an American flag, a decision that gave these ships carte blanche to continue the illegal slave trade.⁴¹ When these ships entered into an American port, the human cargo was sold as acculturated slaves, not as Africans.⁴²

However, sometimes a slave ship had to tread carefully because of the strict restrictions in the port of New Orleans. But as a result, the long unguarded coastline of Texas looked desirable.⁴³ The heroes and martyrs of the Texas Revolution--James Fannin, William Barrett Travis, James and John Bowie—as well as Monroe Edwards indicated that they were profitable African slave traders. Before the Texas Revolution, Edwards and his partner, Christopher Dart, purchased 200 slaves from Havana and illegally transported them to Texas where they intended to sell them. Ironically,

³⁹ *Petition Concerning Slavery*, June 10, 1824, *Austin Papers* I, 827.

⁴⁰ Gerald Horne, *The Deepest South: The United States, Brazil, and the African Slave Trade* (New York: New York University Press, 2007).

⁴¹ W.E.B. DuBois, *The Suppression of the African Slave-Trade to the United States of American* (London: Oxford University Press, 2014 reprint).

⁴² Horne, *The Deepest South*, introduction and 22-30.

⁴³ See Ernest Obadele-Starks, *Freebooters and Smugglers: The Foreign and Slave Trade in the United States* (Little Rock: University of Arkansas Press, 2007).

Edwards was not caught by the British or American navy but was arrested because of his self-build web of fraud. To purchase the 200 slaves, he first had to take out a mortgage in Cuba for the remaining balance of the \$35000 owed. Dart secured the collateral. When Edwards failed to pay the mortgage, Dart took Edwards to court. This judicial process revealed Edwards to be a trader of African slaves. He was not prosecuted for the illegal transportation but for forgery.⁴⁴ Stephen F. Austin knew these men and could have turned them in to the Mexican authorities, but he turned a blind eye to their actions. Texas needed to be high producers, settlers wanted slaves, and Stephen Austin made it possible.

Austin obviously knew of the trafficking of black slaves, but sought to assure the Mexican government that there were no African or bozale slaves in Texas. Anglo-Texans, he insisted, did not participate in the illegal African slave trade or purchase African slaves. But for new settlers, the purchasing and selling of slaves from United States slave markets was a regular occurrence. Slave markets and auctions littered the South.⁴⁵ As Austin traveled around his colony, he most likely saw "informal" slave auctions on plantations. Slavery, according to Austin, was a social contract which benefited both the slave and the master.⁴⁶ In exchange for a slaves' labor, masters fed and clothed them, protected them from outlaws, and provided for them in sickness

⁴⁴ J. Hamilton, Envoy of the Republic of Texas, Monroe and Edwards, *Greenville Mountaineer* (Greenville, South Carolina), March 18, 1841 and "Unostentatious Generosity," *The Colored American*, July 27, 1840. By 1841, Edwards, fraudulently acting as an abolitionist, duped Lord Palmerston and Arthur Tappan of his commitment as an abolitionist as he freed 200 slaves in Louisiana that were never his. This action made him popular in abolitionist circles as people in the North did not know about his early career. When Texans started hearing about him, they were aghast. J. Hamilton had to write Lord Palmerston and American diplomats to state clearly that Edwards was a fugitive.

⁴⁵ For more information about slave markets see Johnson, *Soul by Soul* and Stephen Deyle, *Carry Me Back: The Domestic Slave Trade in American Life* (London: Oxford University Press, 2005).

⁴⁶ I am using John Locke's version of the social contract as described in his *Second Treatise of Government*. Austin was appealing to the revolutionary fervor that was still going strong in Mexico.

and in death. This problematic portrayal formed under the assumption that slaves entered into the social contract voluntarily when, in fact, the institution of slavery denied slaves the right of free choice or control over their bodies.

As the Mexican government stabilized, new policies on slavery were put in place. Iturbide's government, which relied heavily on the Catholic Church's support, condemned slavery as brutal and inhumane and contrary to its calls for liberty. To continue to legalize slavery seemed antithetical to the declarations of freedom.⁴⁷ Eugene Barker, in "Influence of Slavery in the Colonization of Texas," makes a key point that while the new government adopted "God and Liberty" as its motto and expressed outrage at slavery, it denied liberty and equality to Native Americans and mestizos. He argues that the "new government only cared about slavery in the abstract."⁴⁸ While his point is valid, another point remains hidden: this new government used the issue of slavery and the slave trade as a means of social and legal control. Mexico City was far away from Austin's colony, and one way to exert pressure or let their presence be felt was through these colonization laws that increasingly tried to end or limit slavery.

Anglo-Americans felt the second attack against slavery came in 1827 with the Constitution of Coahuila and Texas. By the summer of 1826, Austin realized his efforts were largely futile. Ellis Bean reported he had received a letter from a friend in Saltillo who informed him that an emancipation law would soon be adopted.⁴⁹ Article 13 proclaimed that "from and after the promulgation of the constitution in the capital of

⁴⁷ Tijerina, *Tejanos and Texas*, 35

⁴⁸ Barker, "Influence of Slavery in the Colonization of Texas," 10.

⁴⁹ Ellis H. Bean to Austin, Mexico, July 5, 1826, *Austin Papers*, Vol.1.

each district no one shall be born a slave in the state, and after six months the introduction of slaves under the pretext shall not be permitted.”⁵⁰ In a letter to his sister, Emily, Austin wrote that slavery, in Texas, was over.⁵¹ Sick and bedridden, Austin had to rely on his brother, James, to negotiate with the Mexican government. For all of Austin’s recasting, reclassifying, or renaming slaves, he never envisioned them as free men.⁵²

Anglo-Texans felt the last attack against slavery by the Mexican government came in 1829. In 1824, Manuel Pedraza was elected president and Vincente Guerrero, vice-president. Four years later, Pedraza was forced out of office for misconduct, and Guerrero assumed the presidency. He became infamous in Texas history when he decreed (1) the immediate emancipation of slaves, (2) freedom to all those who had been looked upon as slaves, and (3) offered, if money was available, to compensate slave owners.⁵³ Austin and others continued to plead for an exemption under the Colonization Act of 1823, which Guerrero granted; however, his government was overthrown soon after. What stands out in Guerrero’s Decree is its second provision—freedom to all those who may have been looked upon as slaves. With

⁵⁰ *Laws and Decrees of the state of Coahuila and Texas, in Spanish and English—To which is added the Constitution of said state, also the Colonization Law of the State of Tamualupas and Naturalization Law of the General Congress by order of the state*, Translated by J.P. Kimball, MD (Houston: Telegraph Power Press, 1839).

⁵¹ Austin to Emily M. Perry, August 21, 1826, *Austin Papers*, Vol. I.

⁵² There are several Decrees (No. 18, 35, and 56) which attempt to structure the institution of slavery as well as create a roadmap for emancipation. In Decree No. 18, the government planned to create a list, like a census, of all the slaves in the state. This list would provide names, age, sex, and residence. It called for the emancipation of slaves, except in cases where slaves killed their masters. This exemption is interesting because it appears in more than one decree which begs the question, how prevalent was it for slaves to kill their masters. These decrees were passed in 1827 and 1828 before the paranoia which accompanied Nat Turner’s Rebellion. These decrees can be found in the H.P.N. Gammel, *Laws of Texas 1822-1897*, 12 vols. (Austin: Gammel Book Company, 1898).

⁵³ Lundy, *The War in Texas*, 25.

each attack against slavery, Anglo-Texans became further entrenched in defending the right to own slaves.

With this decree, Austin began the process of re-casting slaves as indentured servants, family members, and bond servants. By using these different terms, he created an image of slavery in Texas as benign, to have either never existed, or if it did, to be of little consequence. Texans went so far as to claim their slaves as kin, long-time family members who, like children, needed the support of their families.

By recasting slaves as family members, Austin sought to show the essential nature of slaves to the community: that the community valued slaves for their labor and that they were not strangers but people with whom the settlers had established long-term relationships. The reality was quite different. Austin, research indicates, actively participated in the commerce of slaves. He hired three of Jared E. Groce's slaves for a year: a woman named Sally and two men, Jack and Kelly, paying \$8 a year for the woman and \$15 for each man. Austin promised to treat his workers well with Groce providing for their primary needs, especially clothing. Under the contract, Austin was not liable if the slaves became ill, ran away or died. Included in the contract was a young boy to accompany Sally as a caregiver for her son.⁵⁴ The slaves were classified as bond servants, valued family members. They were surplus labor and, thus, Groce did not need them to work his own plantation. Trades such as these were commonplace. One year later, in 1824, Sylvanus Castleman hired out John, an African then in the custody of Austin but who belonged to the Barrett family. Castleman sought a three-month hiring period and bartered food in exchange for

⁵⁴ Austin to Jared Groce, October 24, 1823, *Austin Papers*, Vol.I.

John's labor.⁵⁵

In response to the ever changing Mexican policies on the legality of slavery, Anglo-Texans changed the status of slaves to indentured servants, bond servants, day laborers, and, in some cases, identified slaves as fictive kin.⁵⁶ A traveler journeying into Texas in 1831 to survey land that he had purchased from the Galveston Bay and Land Company twice mentioned "the device" Anglo-Texans used to circumvent the laws of emancipation. The aim, according to a fellow traveler, was to "get his negroes to sign a bond promising to serve him for ninety-nine years. The man advised others to pursue the same course, and aided in drawing up their papers."⁵⁷ The traveler first learnt of the device when he was waiting in New Orleans to board his ship to Galveston. He claimed a man from Alabama, immigrating with his nine slaves to Texas, did not realize that the laws had changed. Fellow passengers encouraged him before continuing to turn his slaves into indentured servants. The second provision of Guerrero's Decree indirectly tried to address these indentured servants, who were legally not slaves, but who were looked upon as slaves.

One case in point is the slave, La Negra, who, in her fight for freedom, turned this casting system to her advantage. She fought to cast herself as a wife and mother. As a black woman, she lived openly with a white man she claimed was her husband. During their marriage, they had two children and worked hard to run a farm that was somewhat profitable, or at least out of debt. She had achieved the highest level in domestic

⁵⁵ Hire of Slave Austin to Castleman, April 12, 1824, *Austin Paper*, Vol I.

⁵⁶ Campbell, *An Empire for Slavery*, 31. Campbell points out that "settlers in Texas differed from Mexican observers by blurring the distinction between slaves and indentured servants in the direction of seeing all blacks in Texas as property pure and simple."

⁵⁷ Anonymous, *A Visit to Texas: Being the Journal of a Traveler through those parts most interesting to American settlers with descriptions of scenery, habits, &c &c.* (New York: Goodrich & Wiley, 1834), 210.

respectability when visitors came and treated her as the “woman of the house,” not the housekeeper or maid. When her common law husband died unexpectedly, her legal status was brought to the attention of the colony/town administrators as she attempted to claim his land. While he may have loved her, he had not freed her. This left not only her, but her children in a precarious situation.⁵⁸

She wrote to Mexican officials proclaiming her freedom on the grounds of her marriage to her white master and bearing him children. Again, she recast herself in the letters not as a slave, but as a loving wife, mother, and help-mate. She claimed that while she was poor and could not afford legal assistance, he had left them a little money which meant they would not be dependent. Relationships between white men and slave women were unusual. These types of relationships were usually not condoned even on the frontier where people generally had more “liberal” outlooks on relationships.⁵⁹

La Negra, regardless of her skin color, was performing whiteness. In doing so, the goal is to persuade whites to put more store on the person’s skin color rather than her worth and role to the community.⁶⁰ La Negra, regardless of her skin color, was “performing whiteness.” By blending into the community—attending church, working on the farm, and raising her children—whites perceived her as one of them. One can speculate that people were initially shocked a white man was living openly with a black woman, even if they were on the frontier. As months and years passed, that shock

⁵⁸ Flores to William, August 21, 1828 (Samuel May Williams Papers)

⁵⁹ Mark Carroll, *Homesteads Ungovernable: Families, Sex, Race and the Law in Frontier Texas, 1823-1860* (Austin: University of Texas Press, 2001), 54-60.

⁶⁰ I am using skin tone instead of race as there are dark skinned Mexicans who could be perceived as blacks and light skinned blacks, who could pass for white. Race is a social construct not based on biology.

gave away to acceptance, and their relationship no longer seem aberrant.⁶¹ This was a significant feat.

La Negra's letter reveals that the problem with the relationship was not over issues of miscegenation or exploitation, but over inheritance. During the relationship, no one in the community spoke ill of her, and even she seemed to not have fully understood her status. Only when she went to claim her husband's estate did she face the possibility of not only losing his farm, but of being enslaved and sold.⁶²

For La Negra to attain her property, she had to retain her whiteness by prescribing to the notion. Ariela Gross argues that *prescriptive* right to whiteness has several meanings:

... in its strictest legal sense a prescriptive right means that one might acquire a right to property after a *prescribed* number of years by virtue of having used the property and treated it as one's own for those years without challenge" [but in communities who used] "the prescriptive aspects of whiteness in both senses of the word: the way in which identity was formed by an accretion of acceptances by and associations with other white people over a *prescribed* period of time; *prescribed* things white people do."⁶³

Without a husband, La Negra faced an uphill battle.

She petitioned Gaspar Flores who forwarded her concern to Stephen Austin's secretary, Samuel May Williams.⁶⁴ This was a smart move for a woman who claimed to

⁶¹ Ariela Gross, *What Blood Won't Tell: A History on Race on Trial in America* (Boston: Harvard University Press, 2008), 48-72. She uses the case of Joseph Nunez, like La Negra, who performed whiteness. While we do not know the color of La Negra, Nunez was mixed race and his performance was carefully dissected as it dealt with a legal case. Therefore it is a discussion as to how he transforms from a freed slave to mixed race to Portuguese, and so forth.

⁶² Flores to William, August 21, 1828 (Samuel May Williams Papers)

⁶³ Ariela Gross, *What Blood Won't Tell*, 56-57.

⁶⁴ Flores to William, August 21, 1828 (Samuel May Williams Papers)

be uneducated. She knew to approach Mexican officials, where she stood a better chance, rather than Stephen F. Austin, who was the empresario and official of her area. Perhaps she went to the Catholic Church where they wrote her petition and gave her advice. From the tone of her petition, she hints that she had sent multiple petitions that had gone unanswered and was desperate. In a volley of back and forth communication, she begged that if she were to remain enslaved, then her children should be free and she enslaved to them. Flores wrote Williams, frustrated by Austin's lack of response, and demanded that they provide legal representation for La Negra's petition in order for her case to be tried in the Mexican court. This victory for La Negra removed her from the reach of Anglo-American law and culture.⁶⁵

Austin knew that re-casting slaves as indentured servants and apprentices was a temporary measure. A permanent solution needed to be found. In his negotiations with Mexican governments, Austin protested against abolitionist legislation. In spite of this growing hostility towards slavery, he never discouraged settlers from immigrating with their slaves. In fact, the number of slaves in the state significantly increased. In 1821, there were 200 slaves, a number that more than quadrupled by 1834.

After several perceived attacks on their constitutional rights, Texans sought independence from Mexico. This, however, was not Anglo-Texans' first attempt to separate from Mexico. In a land dispute with Mexico, empresarios Haden and Benjamin Edwards had declared their 800-acre land grant around Nacogdoches in East Texas a free republic in 1825. They called this new country Fredonia and enlisted the help of Native Americans to defend it. On December 21, 1826, they

⁶⁵ There are three letters between Gaspar Flores to Samuel May Williams concerning La Negra in 1821.

signed a Declaration of Independence and took the motto "Independence, Liberty, and Justice."⁶⁶ And while this small revolt turned out to be nothing more than a skirmish and resulted in the Edwards brothers fleeing into Louisiana, the incident showed the rising tension between Anglo-Texans and the Mexican government brought on by disputes over the right to own slaves.

After Guerrero's Decree (1829) and the subsequent overthrow of his government, Anastasio Bustamante rose to power, and the issue of unruly Anglo-Texans took center stage. During the Fredonian Revolt, the United States offered to purchase Texas for one million dollars, sparking concern in the Mexican government. As the population of Anglo-Americans increased, the Mexican government worried that the immigrants were filibusters instead of homesteaders. In 1827, Mexico initiated a Boundary Commission to investigate the empresarios and their land grants, prepare a census records, and map out the state with a listing of its natural resources. General Manuel de Mier y Terán headed the mission along with Jose Batres, Constatino Tarnara, and Jose Maria Sanchez y Tapea, a cartographer. Terán began his military career at Mexico's Artillery School and became interested in mining, math, and science. He fought in the Mexican Revolution in 1821 and served in the first Congress of the new country before he was appointed Minister of War. On accepting the commission, Terán, a military man, sought to restore order in Texas and force compliance with Mexican laws on the recalcitrant Anglo-American colonists.⁶⁷

⁶⁶ Archie P. McDonald, "Fredonian Rebellion", *Texas Handbook Online* (Published by the Texas State Historical Association) and Timothy Henderson, *A Glorious Defeat: Mexico and It's War with the United States* (New York: Hill & Wang, 2008), 3-24.

⁶⁷ Manuel De Mier y Terán, *Texas by Terán: The Diary Kept by General Manuel De Mier y Terán on his 1829 Inspection of Texas*, edited by Jack Johnson, trans. By John Wheat (Austin: University of Texas Press, 2000), 1-14.

Terán discovered quickly that Anglo-Americans were not the only violators of Mexican law. He felt that Mexicans residing in Texas also fell short in their duty to their country. In his diary, he called them lazy, backwards, and irresponsible. The editor of his diary, Jack Johnson, asserted that “in view of Mexico’s recent revolution against Spain and the stated egalitarian goals of the independent nation, a surprising theme emerges from the records of the 1828 inspection: Class and regional distinctions between Mexican themselves.”⁶⁸ Some historians argue that he entered Texas with preconceived ideas about settlers in Texas, regardless of their race. Historian Alleine Howren, in her article on the Law of 1830, argues that Terán’s preconceived notions proved that the differences between the two races—Whites and Mexicans—were insurmountable.⁶⁹ In other words, this was a racial conflict. Anglo-Texans, according to Terán,

trade with Anglo-Americans, and the blending in to some degree of their customs, make the inhabitants of Texas a little more different from the Mexicans of the interior, whom those in Texas call foreigners and whom they scarcely like because of the superiority which they recognize in them. In their gatherings, the women prefer to dress in the fashion of Louisiana, and by so doing they participate both in the customs of the neighboring nation and of their own.⁷⁰

For Terán, this proved that Anglo-Americans had no intention of becoming Mexican citizens.

On the recommendations of Terán, President Bustamante issued the Decree of April 6, 1830. Some of the key points of the law include the following:

⁶⁸ Ibid.

⁶⁹ Alleine Howren, “Causes and Origin of the Decree of April 6, 1830,” *Southwestern Historical Quarterly* XVI, (April 1913), no.4, 378-398.

⁷⁰ Mier y Terán, *Texas by Terán*, 17.

- (a) the demand that cotton goods could only be sold out of Mexican ports and proceeds would "maintain the integrity of Mexican territory...and promote the development of national industries;"
- (b) an encouragement of Mexican migration by promising to assign them "the best of agricultural lands;"
- (c) a prohibition against the "introduction of foreigners across the northern frontier;
- (d) banning the introduction of slaves, and
- (e) building up military fortifications along the coastline and in strategic areas.⁷¹

This time Anglo-Texans were not only fighting for the right to own slaves, but also their independence. According to Rupert Richardson, the biggest problem with this law was taxation. Over the next two years, the Mexican government would imprison Anglo-Texans for failing to pay customs. In response, Anglo-Texans held conventions in 1832 and 1833. Austin, again, presided over these proceedings and subsequently traveled to Mexico in 1833 to plead the colonizers' case. By the end of the year, he succeeded in getting the law repealed, but he was arrested on his way home on charges of treason and inciting insurrection. Unknown to President Santa Anna, Stephen Austin was one of the last moderate voices in Texas. He was held in prison from January 3, 1834, to July 1835.⁷²

In 1835, Texas declared its independence from Mexico, which led to Civil War. In April 1836, Texas successfully won its independence and established a government for the Republic of Texas. It quickly began to model its government after the United States and consult with that country on the quickest way to be annexed. The first step was to create a Bill of Rights and Constitution. They established male suffrage, three branches government (legislative, judicial, and executive), protected the right to own

⁷¹ Decree of April 6, 1830.

⁷² Rupert Richardson, Adrian Anderson, and Ernest Wallace, *Texas: The Lone Star State* (Englewood Cliffs: Prentice Hall, 1993), 84-87.

slaves, and declared slavery a permanent, hereditary condition.⁷³

The Ninth Article of the Texas Constitution dealt specifically with slavery. It stated that “all persons of color who were slaves for life previous to their emigration to Texas, and who are now held in bondage, shall remain in the like state of servitude, provided the said slave shall be the bona fide property of the person so holding said slave as aforesaid.”⁷⁴ This act ended the “re-casting” of slaves and closed the window of freedom for slaves such as La Negra. Slaves were now legally slaves for life. The new Republic justified their strong language, arguing they needed to encourage future immigrants. The Constitution went so far as to prohibit Congress from passing legislation that prohibited immigrants from bringing their slaves with them. Clearly, this was a victory for slave-holding Anglo-Texans.⁷⁵

The Constitution took away the power from slave owners to emancipate their slaves. The only way a slave owner could free his slave was to petition and assure Congress that the freed slave would leave the Republic. No legislator wanted to be on record as the emancipator of slaves. Old age and good service were not enough to gain one's freedom. It's telling that only two slaves who fought in the Texas Revolution were emancipated (see Peter's story in Chapter 2). The new Republic did not want free blacks in their territory. By the 1830s and after the Nat Turner Rebellion, this request was not unusual in southern states. The fear of slave insurrections focused on the role of free blacks inciting slaves.⁷⁶ Lastly, the

⁷³ “Constitution of Republic of Texas, 1836” *Laws of the Republic of Texas* (Houston: Printed at the Office of the Telegraph, 1838)vol. 1, pp. 9-25.

⁷⁴ Texas Constitution of 1836, H.P.N. Gammel, *Laws of Texas 1822-1897*.

⁷⁵ *Ibid*.

⁷⁶ This mindset came from looking at free blacks, like David Walker who wrote in 1829 *An Appeal to the Colored Citizens of the World*.

Constitution outlawed the importation of African slaves into the Republic. With the new law, transporters of African slaves were declared to be pirates.⁷⁷ The Constitution legalized the domestic slave trade and the slave trade with the United States.⁷⁸ In the midst of this nation-building, Stephen F. Austin sat at the head of the table. After years of fighting to keep the western door open to slavery, he had finally succeeded.

Surprisingly, Stephen F. Austin only lived in Texas for fifteen years. He arrived in 1821 trying to secure his father's land grant and position of empresario and, in doing so, changed the American West. Austin was familiar with—and more comfortable living—in the frontier than in established territories and states. He also learned on the frontier about the importance of slave labor, and he took that knowledge from Spanish Missouri to Mexican Texas. When Austin became empresario and later acted as a de facto diplomat, he was a key figure who helped open the West to slavery. He had every opportunity to stop or slow the westward push of slavery but chose not to. Some historians, such as Barker and Cantrell, show him on the sidelines on the issue of slavery or dealing with more pressing issues than slavery. But what issue could have been more important, more controversial, and more debated than slavery

At the end of the Texas Revolution, Austin's supporters campaigned for him to be the first president of the new Republic and were confident he would win. The Republic would be short-lived as annexation to the United States was imminent. Yet, even his supporters could not combat the image that his compromises with the

⁷⁷ To be declared a pirate meant one forfeited one's citizenship and the steepest penalty was death.

⁷⁸ Texas Constitution of 1836. H.P.N. Gammel, *Laws of Texas 1822-1897*, 12 vols. (Austin: Gammel Book Company, 1898).

Mexican government had come at the expense of Anglo-Texans. As a result, they soon turned their loyalty and their votes to the war hero and General of the Texas Army, Sam Houston, who became the first President of the Republic of Texas. In kindness, Houston appointed Austin the first Secretary of State, but he died soon after in December of 1837.

Chapter 2

Slavery and the Fight for Annexation

After a nine year battle for annexation, Sam Houston watched on the sidelines as Texas entered the United States as a slave state. Giving a speech in 1845 discussing the origins of the Texas Revolution and most importantly, his role and actions during the years of the Republic, Houston at first seemed contemplative. He proclaimed that he came to Texas in “1832, the period that I became a citizen of Texas that I have assumed the responsibility of many important official positions, conferred by a generous and confiding people. How I have discharged the various important and responsible trusts thus conferred, it is the duty as well as the right of the people to judge.”¹ However, the speech’s tone quickly changed. He noted that he had faced normal, or what he termed natural, opposition while he had been President of the Republic of Texas. What Houston could not accept was the opposition which “consists of misrepresentations, abuse, and slander, of a violent and person character, it must be ascribed to motives not patriotic.”² In the midst of victory, Houston still saw battles he had to settle.

For Houston, his official life began in Texas in 1835 when he became commander-in-chief of the Texas army. In this role, Houston saw himself as both a general and a politician. In speaking as a general, he mentioned his decision not to assist the men at Goliad and Alamo. This decision, Houston alleged, led to “great vindictiveness and vehemence, that [Houston was] responsible for the massacre of

¹Sam Houston, “A Review of The San Jacinto Campaign: A Speech At Houston in the Summer of 1845,” in Amelia W. Williams and Eugene C. Barker, eds., *The Writings of Sam Houston, 1813-1863*, Vol. I-VI (Austin: Jenkins Publishing Company, 1970) Vol. VI, 5.

² Ibid.

Travis and his men...That I , as commander-in chief of the army, actuated by feelings of personal revenge, refused to reinforce Fannin and Travis, when I had the power to do— accusations as cruel and malicious as they are false.”³ He claimed that it was well known that he acted as a politician-general, one who did not take immediate command of the soldiers in the field. Again in the backdrop of annexation, Houston still felt mired in the battles of the Texas Revolution.

For Houston, a new war began with the birth of the Republic. Llorena Friend, one of Houston’s biographers, describes the chaotic birth of Texas and the million dollar debt carried over from the Revolution.⁴ The people of Texas elected Sam Houston to deal with problems from the Revolution and in creating a new nation. Houston’s administration began

establishing the machinery of government; financing that Republic with an exhausted treasury which had neither money nor credit; coping with the Indian problem; disposing of the one significant asset of the country, its public lands; establishing a system of public education; providing military defense against Mexico, which, while unable to make good its threats to reconquer Texas, never recognized the Republic and always constituted a menace; and securing recognition of other nations.⁵

Due to the short presidential terms of two years, Friend argues Houston’s first term centered on jumpstarting initiatives.⁶ In her account, Houston steadfastly attacked the problems of the Republic.

³Houston, “A Review of the San Jacinto Campaign,” 6.

⁴Llorena Friend, *Sam Houston: The Great Designer* (Austin: University of Texas Press, 1954), 80-81. Friend states that after the Texas Revolution, Texas accumulated \$1, 250,000 debt and by the end of Houston’s term it had risen to \$2,000,000 and James Haley, *Sam Houston* (Norman: University of Oklahoma, 2004), 233-264.

⁵Llorena Friend. *Sam Houston*, 80.

⁶Houston’s first term was October 1836-December 1838 and his second term was from December 1841-December 1844. In between Houston’s two presidential terms, Mirabeau Lamar served one term as President. The last president of the Republic, Anson Jones, served from 1844 to annexation in 1845.

In the early days of the Republic, Friend presents Houston fighting the new nation's growing debt. By singling out debt as the main issue facing Texas, she makes little mention of the issue of foreign affairs and more important, of slavery. First, she focuses on how Houston attempted to bring down debt within the nation through the creation of a national currency.⁷ Second, she points to Houston's personal transformation that began to take shape during the early days of the Republic. From childhood, Sam Houston lived in two societies—white and Native American. As these two societies collided and competed for land, Houston, unlike his mentor Andrew Jackson, did not take a hardline against Native Americans. Tiya Miles questions that Houston lived in two distinct societies.⁸ She points out that the Cherokee were already acculturated by whites by the 1800s and many of their leaders were educated in Christian mission schools. While white family structure centered on patriarchy, Cherokee women still held leadership roles in their community.⁹ More importantly, they had the leeway to marry outside of their race with little consequence. These interracial marriages and the mix-race children they produced assimilated communities that mirrored their white counterparts. When Houston lived among the Cherokee instead of it being a very different world—living lawlessly among the natives, he was living in a community that mimicked white society. Nevertheless, when he chose to live among them as an Indian agent and marry an Indian woman, white society was not as

⁷ Friend, *Sam Houston: The Great Designer*, 80, By the Lamar administration, the Republic's currency would be highly inflated, making it worthless.

⁸ Tiya Miles, *Ties that Bind: The Story of an Afro-Cherokee Family in Slavery and Freedom* (Berkeley: University of California Press, 2005), 100.

⁹ *Ibid*, 100.

forgiving. They viewed Houston's second marriage to the much younger Margaret Lea as a repudiation of his Native American ties.¹⁰

This chapter examines the early days of the Republic with Sam Houston at the helm. His first approach was to seek immediate annexation to the United States.¹¹ Houston as well as southern politicians underestimated abolitionists' and northern politicians' power in Congress to derail Texas' admission into the United States as a slave state. When annexation stalled, Houston was left with little choice but to seek diplomatic recognition and commercial relationships overseas. Houston's administration began establishing a diplomatic corps, in which a Secretary of State sent consul-generals and charge d' affaires to other nations. In establishing these international ties, Sam Houston defended the increasing number of slaves entering Texas as essential to building the young Republic as the leading cotton producer in North America while condemning any Texan's participation in the African slave trade.

Andrew Jackson, the United States president, held a strong interest in acquiring Texas.¹² Acquiring Texas fits into an early idea of manifest destiny—westward expansion—claiming the entire continent to create an empire and, most importantly,

¹⁰ Friend, *Sam Houston: The Great Designer*, 94-97. Sam Houston was legally married twice—in 1829, to Eliza Allen and in 1840, to Margaret Lea. Between his two "legal marriages," he was married to Tiana Rogers Gentry, a Native American woman with whom he had a daughter. While he divorced Gentry, his ties to the Cherokee remained so steadfast that it was not until he married Margaret Lea that Anglo-Texans became convinced that he would place Anglo interests over Native Americans. While Margaret was 20 years his junior, his marriage was seen as Houston showing a commitment and fidelity not just to his wife but also to the new Republic.

¹¹ By credentialing Henderson as a special agent and not as a consul or a Minister Plenipotentiary to negotiate annexation with the United States speaks to the desire of Sam Houston expecting a quick and positive response. "Credentials of A. Pinckney Henderson as a Special Agent of the Republic." NARA—General Records of the Department of State, 1763-2002. [Online version, <https://catalog.archives.gov/id/594776>, January 31, 2017]

¹² T. R. Fehrenbach, *Lone Star: A History of Texas and The Texans* (New York: Da Capo Press, 2000). Fehrenbach argues the interest in Texas began as early as John Quincy Adams's presidency when he sent an emissary to purchase the territory from Mexico, and it continued to peak during Andrew Jackson's Presidency.

spreading American democracy.¹³ The Adam-Onís Treaty (1819) consisted of settling the southern boundary between the United States and Spain. Under it Spain also agreed to sell Florida to the United States for five million dollars, which, in effect, stymied any “formal” inroads in Texas as well as other western territories like California.¹⁴ This setback did not stop Americans from moving westward in search of cheaper, more fertile land. When a territory became populated under land ordinances that read like road maps to statehood, these areas applied for annexation. This system would work well until Missouri applied for statehood in 1819 and the issue of slavery reared its ugly head. It would take a compromise and the admittance of Maine, as a free state, before the United States admitted Missouri as a slave state.¹⁵

In 1832, Jackson sent Sam Houston to the Indian Territory (present-day Oklahoma) as a negotiator-diplomat with the Cherokees and the Comanches and, it was rumored, to gather intelligence on Mexican control over Texas.¹⁶ Houston entered Texas with a diplomatic passport granted by the Acting Secretary of War, John Robb. As a young child living in a tumultuous household, Houston had run away and lived among the Cherokee for most of his teenage years.¹⁷ Jackson’s Indian Removal policy

¹³ Daniel Walker Howe, *What Hath God Wrought: The Transformation of America, 1815-1848* (New York: Oxford University Press, 2007), 701-703.

¹⁴ Lynn Hudson Parson, *The Birth of Modern Politics: Andrew Jackson, John Quincy Adams, and the Election of 1828* (New York: Oxford University Press, 2009), 53-56.

¹⁵ Robert Pierce Forbes, *The Missouri Compromise and Its Aftermath: Slavery and the Meaning of America* (Chapel Hill: The University of North Carolina Press, 2006), 69-121 and George William Van Cleve, *A Slaveholder’s Union: Slavery, Politics and the Constitution in the Early American Republic* (Chicago: The University of Chicago Press, 2010), 225-267.

¹⁶ Marquis James, *The Raven: A Biography of Sam Houston* (Austin: University of Texas Press, 1988), 344-345 and Randolph Campbell, “Sam Houston: Unionism and the Secession Crisis in Texas” in *The Human Tradition in the Old South*, eds. James C. Klotter and Peter Stern (Wilmington: Scholarly Resources, Inc. 2003), 153.

¹⁷ Randolph Campbell, *Sam Houston: And the American Southwest* (New York: Longman, 2007), 3. Campbell begins his book with the tale of Houston’s mother sending his two brothers searching for him, only to find him living quite comfortably among the Cherokee.

forced Native Americans east of the Mississippi River to a newly designated territory. By no means was this relocation a peaceful process; starvation and sickness plagued living conditions on the reservations.¹⁸ Traveling without suspicion, Houston returned to a Native American community that raised him for solace, and their location along the Red River allowed him to carry out Jackson's fact-finding mission. Houston's passport requested "all the Tribes of Indians, whether in amity with the UNITED STATES, or as yet not allied to them by Treaties, to permit safely and freely to pass through their respective Territories..."¹⁹ This permit allowed him to travel unimpeded between the United States and Mexico border, as Indian Territory encompasses what is present-day Oklahoma and the western part of Texas. In his travels, Houston sought answers to questions such as, would Anglo-Texans rise up against the Mexican government if they knew that Americans would assist them with weapons, money, and manpower, and how could Texas benefit the Union?

After several years of crossing the Red River, he could not ignore the rumblings of Anglo-Texans and became embroiled in local politics. By 1835, he had become one of the strongest supporters for revolution; he volunteered to lead the nascent Texas army and soon became its Commander-in-Chief. In the *Arkansas Gazette*, he promised land to any man willing to fight who had a good rifle and ammunition. This Revolution, he claimed, was not about tyranny, but about the "attainment of RATIONAL LIBERTY—

¹⁸ Christopher Haveman, *Rivers of Sand: Creek Indians, Emigration, Relocation, and Ethnic Cleansing in the American South* (Lincoln: University of Nebraska, 2016), 175-234.

¹⁹ Sam Houston, "Houston's Passport to Texas, 1832," in Amelia W. Williams and Eugene C. Barker, eds., *The Writings of Sam Houston, 1813-1863*, Vol. I-VI (Austin: Jenkins Publishing Company, 1970), Vol. IV, 11. The War Department granted Houston this passport on August 6, 1832. Houston was 38 years old.

the freedom of religious opinion, and just laws.”²⁰ This was a call for filibusters—Americans/adventurers, unsanctioned by their government, willing to enter into a foreign country to overtake that country with the hope of annexing the unsolicited territory to the United States.²¹ Throughout the Revolution, Houston kept the United States informed of Texas’ progress and when there were failures, called on Americans to continue to send support. In the end, Houston in a surprise maneuver captured the Mexican president, General Lopez de Santa Anna.²² This move signaled the end to the war.

The early days of Texas’ independence did not promote ideas of building a strong state; instead, Texans envisioned independence as a transition period in which they would become Americans. In 1836, Sam Houston, the general of the Texas army, was elected the country’s first president over Stephen F. Austin by an overwhelming majority. Mirabeau Bonaparte Lamar would serve as his vice-president. After personal tragedy, Lamar had left Georgia for Texas hoping to meet up with his friend, James Fannin. Lamar wrote poems and editorials, and he unsuccessfully ran for Congress. In 1835, he entered into the slave-trading business with Fannin but returned to Georgia to finalize his personal business. When he returned, Texas was embroiled in the war. In March of 1836, the Mexican Army captured and executed Fannin and over 300 of his men at Goliad. Lamar entered the War towards the end when the army was most desperate, and he proved his valor at the Battle of San Jacinto. Overnight, he became a hero.²³ Lamar would be typical of the men in charge of the new Republic. Most came

²⁰ *Arkansas Gazette*, November 17, 1835.

²¹ Robert May, *Manifest Destiny’s Underworld: Filibustering in Antebellum America* (Chapel Hill: The University of North Carolina Press, 2002), xi-xviii.

²² T.R. Fehrenbach, *Lone Star*, 239-241.

²³ Herbert Gambrell, “LAMAR, MIRABEAU BUONAPARTE,” in *Texas Handbook Online*, Published by the Texas State Historical Association, updated 2010.

from troubled pasts, lived in the Republic for less than 5 years before their appointment, came from wealth or the ability to get wealth, and usually were slave-owners.

While newspapers acknowledged the election of Houston, one editorial worried that few men in Texas were qualified to run the Republic and urged Texans to seek the support of the Americans.²⁴ Many Anglo-Texans sought immediately to renounce their Mexican citizenship in the hopes of reclaiming their American citizenship. For Anglo-Texans, citizenship was transitory; however, their nationalistic ties were not. Anglo-Texans desired annexation instead of remaining a Republic. The elected Congress overwhelmingly supported annexation and ratified their newly written constitution.²⁵ However, problems confronted the new republic: primarily, fractious Native Americans in the western and northern parts of the country and Mexicans to the south were trying to counter the Revolution by engaging in skirmishes. While Houston and Anglo-Texans applied for annexation, they also sought military assistance in dealing with Cherokees.

Texans could not have imagined the impact of slavery on the annexation process. In writing their Constitution, Texas legislators aligned their slave policy to that of the United States. The legalization of slavery was essential to the development of their economy. The Texas Congress made null and void all indentured contracts and stated that any persons in bondage by the beginning of the Republic were now legally classified as slaves for life. This declaration quickly eradicated the little sliver of hope for the emancipation of slaves. During the nine years of the Republic, Congress only emancipated two slaves, both for their participation in the Texas Revolution.

²⁴ *Texas Telegraph*, October 12, 1836.

²⁵ *Texas Telegraph*, October 12, 1836.

While the Mexican government parceled out huge land grants to the empresarios to survey and sell, few empresarios had completely filled these land grants before the Revolution, leaving plenty of unused, unimproved land. Whereas Stephen F. Austin's call for immigrants spoke to immigrants down on their luck in need of second chances, especially after the Panic of 1819, President Sam Houston sought out wealthy southern planters by offering cheap arable land that could produce considerable cotton and sugar crops. Lastly, to settle with soldiers who fought in the Revolution, Houston gave them scripts for land in undeveloped, out of the way places. While the new government tried to honor land grants held before and during the war for Anglo-Americans, an Ohioan visiting Texas noted that unused government land sold for 25 cents an acre. However, there was no place to purchase these lands as the Land Grants Office had remained closed since the Revolution. The closure of these offices was significant as soldiers, at the end of the war, found their land grants or scripts undesirable or unusable and sought to exchange the script for cash or specie. Many of the southerners who heeded Houston's call had the capital to develop the land. In need of cash, many soldiers sold their scripts to southerners or speculators for little of their original worth and began residing in undeveloped cities, like Houston, where little work existed.²⁶

The Land Grants Office also had to deal with claims by residents who entered Texas before the Revolution and qualified for the head-right system but had not been assigned any land. The desirable land was located around the rivers that connected to the Gulf of Mexico. British families who had sided with Mexico lost their land after the war. When they sought to reclaim their land through the Land Grants Office and

²⁶ Andrew Forest Miur, ed. *Texas in 1837, An Anonymous Contemporary Narrative* (Austin: University of Texas Press, 1958), 26-37.

received no recompense, they took their claims to their diplomatic consulate. This office also faced land claims from Mexican landowners, particularly the ones who had fought with their fellow Texans, but lost the right to their property due to their ethnicity.²⁷ The confusion surrounding land claims did not dissuade the visiting Ohioan from proclaiming the potential of the land; if anything, his account was one of many that succeeded in encouraging immigration to the new Republic.

Selling land provided a quick way to gain revenue for the young Republic. Nevertheless, this was not a Jeffersonian call to small farmers. Implicit in these land deals was the need to find a buyer with enough capital to quickly develop unimproved land into big money crops, like sugar and cotton. The rising demand for these crops by manufacturers and wholesalers led to a rise in slave labor. By 1837, almost 1000 slaves populated Brazoria County, which is in the southeastern part of the state and would become home to some of the largest sugar and cotton plantations at the time.

²⁷ Arnaldo De Leon, *The Tejano Community, 1836-1900* (Dallas: Southern Methodist University Press, 1982), 78.

Campbell estimates from the 1837 tax-roll information that there were about 5,000 slaves in the Republic, not including the slaves in Matagorda, Montgomery and



Plantation map of Brazoria County, 1847

Red River counties.²⁸ On the map, the cartographer marked major plantations in the county; most are along the Brazos River. Brazoria County--surrounded by Matagorda County (to the south), Fort Bend (to the west), Harris County (the city of Houston, to the north), Galveston County (to the northeast) and Gulf of Mexico (to the East)--formed the center of the slaveholding region of the state. The Brazos River (which is the more centered river) connected trade from the Gulf to the interior of Texas. After Brazoria, the

²⁸ Randolph Campbell, *An Empire for Slavery*, 56-59.

second largest slave population resided in Fort Bend, then Galveston and Harris counties. As one of the well-documented counties, Brazoria has been used extensively in studies concerning slavery in Texas.²⁹

As the war ended and the Republic formed, the Texas Constitution ended any discussion on the legality of slavery within its boundaries, making clear that "Congress shall pass no laws to prohibit emigrants from bringing their slaves into the Republic with them, and holding them by the same tenure by which such slaves were held in the United States..."³⁰ This law which reassured Anglo-Texan slave owners who had fought with the Mexican government over their right to retain their slaves, were now guaranteed that Texas would be a slave-holding Republic. With the use of slaves, landowners could increase their agricultural yields and most importantly begin to increase their production of cotton. Cotton would be key to Texas' economic independence.

Along with Sam Houston, Wylie Martin, who served under General Andrew Jackson at the Battle of Horseshoe Bend came to Texas seeking a better life. Plagued by personal problems that resulted in a duel, Martin chose to retire and seek the life of a planter as the War of 1812 came to a close. In 1824, Martin successfully applied for land in Brazoria, Texas, and brought with him his slave, Peter. At twenty-five years old, Peter was "very intelligent, very black, very dependable man, devoted to his master." As Martin acquired more land and sought political office in the new Republic, he left Peter in control of his holdings and even allowed Peter to marry a slave on an adjoining

²⁹ Campbell, *An Empire of Slavery*, 265-266.

³⁰ H.P.N. "Constitution of the Republic of Texas 1836" in the *Laws of Texas, 1822-1897*, vol. 1, 1097.

plantation. In 1839, three years into the Republic, Martin sought to emancipate Peter as he worried about his failing health and Peter being resold to another master.

When Martin petitioned the legislature to free Peter, his request generated a heated debate. Several senators “violently opposed” the bill as they feared emancipating slaves would upset the “social order.” The argument became even more contentious as it was revealed that Martin had allowed Peter to accumulate \$16,000. When Martin saw that good service would not gain Peter his freedom, he reminded the legislature of Peter’s service in the Texas army, under the leadership of General Sam Houston, for the independence of their Republic. As president, Houston had to be aware of this debate over Peter, a soldier and a slave. During the Revolution, Houston had the power to free Peter for his good service during the war. During the American Revolution, slaves were freed because of their service. Yet, Houston remained quiet during this debate. This argument would sway Anson Jones, the last President of the Republic, to cast the final and much needed favorable vote which led to Peter’s emancipation.³¹ In less than three years of independence, slavery had become an entrenched institution in the Republic of Texas. This non-action by Houston added validation to his call to rich southerners to come to Texas where slavery would be maintained in perpetuity.

Randolph Campbell, in *An Empire for Slavery*, argues that independence ushered in a newfound optimism that was reflected in an increase in both immigrants as well as the purchase of slaves.³² Southerners, who hesitated to immigrate with their

³¹ Clarence R. Wharton, *Wharton's History of Fort Bend County* (San Antonio: The Naylor Company, 1939), 24-27.

³² Campbell, *Empire for Slavery*, 56.

slaves before the Revolution, heard that Sam Houston, the new president, was promising cheap land and the legality of slavery. Not surprisingly, Campbell's study, focusing on Brazoria, Fort Bend, Galveston, Harris, Liberty and Montgomery County, noted an increase in slaves. He found that upwards of about 5000 slaves populated the area by the emergence of the Republic in 1836; about 30,000 slaves by annexation; and approximately 160,000 slaves by the coming of the Civil War.³³ Campbell's is the first comprehensive study of slavery. A mixture of statistics and social history, it placed slavery as the defining feature of antebellum Texas. He argues that little difference existed between Texas and other slaveholding states, and the similarities Campbell observes began with the presidency of Sam Houston.³⁴

The majority of slaves, such as Aunt Kitty, entered Texas with their masters. She described her journey from Alabama to Texas. Not only was she separated from her family, which she never saw again, but she was

put on a ship, an'dere I stayed for week an'day. It were dark an 'I ere feared [scared] an homesick an' seasick. I lan'ed in Mobile, an' from dere I was sent to New Orleans an' to Texas. When my master broght [sic] me he paid a heap o'money for, eighteen hundred dollars...Dey work you hard in Texas.³⁵

Her faith was uncertain.

As president, Sam Houston realized one way out of debt was through agricultural means, producing cotton. To make the profits needed, Houston envisioned expansive cotton plantations worked by slaves. A case in point is Guy Bryan who traveled to

³³ Seventh Census of the United States, 1850. Schedule 1 (Free Inhabitants) and Schedule 2 (Slave Inhabitants); Campbell, *An Empire for Slavery*, 56-57. Refer to Table 1, Map 2, and Map 3.

³⁴ Campbell, *An Empire for Slavery*, 56.

³⁵ John Blassingame, ed., *Slave Testimony: Two Centuries of Letters, Speeches, Interviews, and Autobiographies* (Baton Rouge: Louisiana State University Press, 1977) 533, 543.

Texas from Missouri with his step-father and mother in the spring of 1831. They took with them their slaves and horses, traveling by land. Although they had horses, Bryan rode a mule the entire way south. On arrival in mid-August, they found temporary lodging on an established plantation in Brazoria until the following spring when they were able to purchase land ten miles away.³⁶

Cheryll Cody's details planter Peter Gallaird's family that mirrors the Bryan family.³⁷ In examining his lowcountry South Carolinian plantation, she realized that married planters purchased their slaves whereas widowed women planters inherited theirs. With the 4-7 age difference between married couples, there was an increased chance that women's husbands would die before them. Gallaird, like Guy Brian's father, made the decisions of when to give his sons land and how many slaves to give his daughters. These decisions—how much land to give and how many slaves to gift—could ensure or destroy the success of their children's future. The commonality between these two families was the reliance on slave labor and establishing and maintaining plantations. These “established plantations” represented to Sam Houston small economies whose profits could be appropriated into the Republic's dwindling economy. Cotton would make Texas self-sufficient. More cotton production meant more slaves.³⁸

Dr. Massie brought his slaves from Alabama to Texas and settled in Lynchburg, Texas.³⁹ One of his young female slaves, Mintie Maria Miller, recounted that it took

³⁶ Abigail Curlee, “The History of A Texas Slave Plantation, 1831-63” in *The Southwestern Historical Quarterly*, xxvi (Oct, 1922), 79-126. Curlee uses Bryan's autobiographical sketch, 84.

³⁷ Cheryll Cody, “Naming, Kinship and Estate Dispersal: Notes on Slave Family Life on a South Carolina Plantation, 1786 to 1833,” reprinted in Darlene Clark Hine, ed., *Black Women in American History, Vol. 1* (New York: Carlson Publishing, 1990).

³⁸ *Ibid.*

³⁹ Lynchburg, Texas is in the eastern section of Harris County, between Deerpark and Pasadena. It is an island that sits on the San Jacinto River and its residents take the Lynchburg Ferry to cross to the city.

over three months to travel from Alabama to Texas. She was to be a nursemaid to his children, although she was still a child herself. Because of debts incurred in the move, Dr. Massie placed Mintie for sale at a slave market in Houston.⁴⁰ While the biggest slave markets were in New Orleans, the capital of Texas also had slave markets.⁴¹ As President Houston walked around Houston, he surely witnessed the sale of slaves at slave markets. The interstate slave trade, in some places, was so common that people were blinded to the inhumanity taking place. Both Austin and Houston's correspondence noted slave hires and personal slave sales—sales between two individuals, usually over debt, death, or trade. This trade was a common feature of the busiest port cities on the Gulf Coast, cities like New Orleans, Mobile, Natchez, Galveston, and Houston. However, it also occurred on plantations and nearby towns. The interstate slave trade and its trappings shaped slaves into commodities; it dehumanized them. Slaves, however, did not accept this condition, and when they could, they fought to present and retain their humanity.⁴² Mintie gave an account of her time at the slave market, which she called a shed, where she was sold quickly. When her old owner came to wish her well, she "sassed" him in front of her new owner. The new master deemed her unruly and revoked the sale. And while this did not "save" her as she was resold later in the day, she was able to stay in the same town/area in which

⁴⁰ "Mintie Maria Miller," *Slave Narratives from the Federal Writer's Project, 1936-1938*.

⁴¹ The official capital of the Republic is Houston. The city itself was slowly being built and was quite hazardous to inhabit due to the fact that it was surrounded by bayous. The business of the Republic was generally carried out in Washington-on-the-Brazos.

⁴² See Walter Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market* (Cambridge: Harvard University Press, 1999) 19-45 and 117-162 and Robert Gudmestad, *A Troublesome Commerce: A Transformation of the Interstate Slave Trade* (Baton Rouge: Louisiana State University Press, 2003) 33.

she lived previously, thereby staying close to the other slaves with whom she had formed familial relationships in the area.⁴³

Bi-weekly, shipping vessels, such as the *Columbia*, transported at the most 4-5 slaves from New Orleans to Galveston, Texas.⁴⁴ In 1807, the United States prohibited the African slave trade, but this did not prevent individuals from participating in it. To discourage the sale of African slaves, the United States Customs Office required slave owners transporting their slaves to register and record them on a “slave manifest.” This manifest documented the slave’s place of origin and departure; the age, sex, and height of the slave; the ship(s) on which they were transported; and, in some cases, skin tone or a defining feature.⁴⁵ In March 1, 1838, J. Darrington, a slaveowner, transported his slaves--30 year-old Ephraim, presumably his 25 year-old wife, Anny with their 3 year-old son—on the *Columbia* from New Orleans to Galveston (see chart below).⁴⁶ Anny was small in stature and had no discernable features. Also traveling in their group were two older slaves, Isaac and Sylvie. Sylvie was the eldest at 55 years old. Two weeks later, the *Columbia* carried the six slaves belonging to three different owners from New Orleans to Galveston. Four of the slaves were brothers and sisters ranging in age from 10-17 years old possessing “yellow” skin.⁴⁷ Three of the siblings--17 years-old Elizabeth and her two brothers, Robert (10) and Albert (12)--were purchased by A. Smith. Their

⁴³ “Mintie Maria Miller,” *Slave Narratives from the Federal Writer’s Project, 1936-1938*.

⁴⁴ U.S Census Records, *Slave Manifests, 1835—1860*.

⁴⁵ These records are held in the United States Customs’ Office and at the New Orleans Public Library. These notary forms have been used extensively by historians such as Walter Johnson in *Soul by Soul* that chronicle the lives of slaves being sold in the marketplace.

⁴⁶ U.S Census Records, *Slave Manifests, 1835—1860*.

⁴⁷ In the slave manifests, slaves are described as black, brown, griff, yellow, and mulatto. The customs official noted they were yellow, not mulatto. On April 13, 1838—the slaves listed on the manifest are Henrietta and Robert (both are designated as black).

14 year-old sister, Amanda, was sold separately to M. Brooks. Designating these slaves as “yellow,” instead of “mulatto” was an attempt to describe slaves as accurately as possible.⁴⁸ There was always a fear of slaves escaping. While Galveston was the city where they disembarked; for many, this was not their final destination. By mid-April of 1838, the *Columbia* traveled to a smaller port city in Texas, Velasco, with slaves in its cargo.⁴⁹ The Republic of Texas opened the west to slavery, and these slave manifests records trace slavery’s expansion throughout the region.

Name	Age	Connection	Owner	Color
Ephraim	30	husband to Anny	J.T. Darrington	
Anny	25	wife of Ephraim	J.T. Darrington	
young child	3	child of Anny and Ephraim	J.T. Darrington	
Isaac	53		J.T. Darrington	
Sylvie	55		J.T. Darrington	
Elizabeth	17	sister to Robert, Albert, Amanda	A. Smith	Yellow
Robert	10	sister to Elizabeth, Amanda, Albert	A. Smith	Yellow
Albert	12	sister to Elizabeth, Robert, Amanda	A. Smith	Yellow
Amanda	14	sister to Elizabeth, RObert, Albert, Amanda	M. Brooks	Yellow

Slaves on the *Columbia* (credit: Texas Slave Project, Andrew Torget and Eric Walther)

⁴⁸ U.S Census Records, Slave Manifests, 1835—1860.

⁴⁹ Ibid., Velasco is present-day Freeport, Texas. Freeport is in Brazoria County and is the main entry point to the region.

Interestingly, Texans did not classify their participation in the domestic slave trade with the United States as international in nature. As President Sam Houston aligned Texas's slave laws to the United States, the slave trade between Cuba and Texas, which was always "questionably legal," was declared illegal. It took less than a day to travel between Galveston and New Orleans, which possessed some of the largest slave markets. When Americans became Mexican citizens, slave trading with Cuba alarmed the Mexican government, but it was never declared illegal. As Texans entered into "Texas citizenship" until they could reclaim their American citizenship, Texans followed American laws when setting up their government.

Reviewing the slave manifests of slaves entering Texas from 1834 to 1850s from New Orleans to Galveston also provides another glimpse into slavery in the early Republic. In many of the manifests, Galveston was only one stopping point along the Gulf; slaves also went to Matagorda Bay, Indianola, Corpus Christi, and other places up and down the Brazos and Colorado rivers, which were major cotton producing areas. Merchants with ties as far away as Halifax, Canada and New York brought slaves. Most ships only transported 5-7 slaves at a time. This restriction may have been due to the size of the shipping vessel or cargo space. Most transported slaves came from the Deep South, and Texas slave owners sought an equal ratio of men and women. Abigail Curlee, in her study of the Peach Point Plantation, notes that both slave men and women were required to work the fields.⁵⁰ Texans chose slaves who were in their late teens to mid-twenties. Working on either a cotton or sugar plantation was hard work, but slaves would also have to contend with yellow fever, outbreaks of cholera, and

⁵⁰ Curlee, "The History of a Texas Slave Plantation, 1831-63," 96.

malaria. All of the bondsmen were already trained and grasped how “life” operated on a plantation. Lastly, the manifests hint that mothers and small children were kept together.⁵¹ Houston's plan of attracting wealthy southerners, building up plantations, and producing high yields of cotton began to take form.

It was the murkier side of the slave trade—the illegal transportation of slaves from Africa—that alarmed abolitionists when the issue of annexing Texas began. By the emergence of the Republic of Texas, the African slave trade had been illegal since 1808 in the United States and 1807 in Great Britain. By the 1820s, Great Britain had signed anti-slave trade treaties with Netherlands (1814), France and Portugal (1815), and Spain (1817 and 1820). By the emergence of the Republic, most countries no longer participated in the African slave trade. But, while it was prohibited as W.E.B. DuBois aptly points out, the African slave trade continued to exist. The operators simply changed the way they operated. The British navy, for example, could not forcibly board any shipping vessels carrying the American flag. Therefore, slavers switched their flag of origin to the American flag when they encountered the British navy. DuBois argues that the United States were aware of these types of antics and yet allowed them to continue. Acts such as these made it difficult to suppress the African slave trade.⁵² President Sam Houston did little to stop the African slave trade because he did not have a navy, and what resources he did have he directed towards annexation.

⁵¹ Slave Manifests Records, 1850s-1860s, United States Customs Office, Clayton Genealogical Library, Houston, Texas. The slave manifests which I possess come in the form of databases designed by the Texas Slavery Project under the direction of Dr. Eric Walther, Department of History, University of Houston, Houston, Texas.

⁵² W.E.B. DuBois, *The Suppression of the African Slave-trade to the United States of America, 1638-1870* (New York: Dodo Press, 1970), 287.

The origins of the African slave trade began as early as the 15th-16th century with the first Portuguese sailors who sought new trade networks. As sugar plantations began to sprout up, African slaves found themselves bound on 3-4 month voyages to the New World.⁵³ One of the first documented voyages to the New World commenced in 1526. Flying a Portuguese flag, an unnamed vessel left Lisbon with its first stop on the island of São Tomé to purchase slaves. These slave ships, as Marcus Rediker claims, were

central to a profound, interrelated set of economic changes essential to the rise of capitalism: the seizure of new lands, the expropriation of millions of people and their redeployment in growing market-oriented sectors of the economy; the mining of gold and silver, the cultivating of tobacco and sugar; the concomitant rise of long-distance commerce; and finally a planned accumulation of wealth and capital beyond anything the world had ever witnessed.⁵⁴

In this case, the ship was large and the cargo area was reconfigured to fit as many bodies as humanly possible. After purchasing an unknown number of slaves from the island, the slave ship continued to the Bight of Biafra and the Gulf of Guinea Islands until it gathered 300 Africans. The time span from the purchase of the first African to the last is unknown, but one can imagine the plight of the first souls who entered the slave ship. Once the ship was fully loaded, the Africans began the arduous journey across the Atlantic Ocean, headed for the Spanish West Indies. When they arrived, 223 of the 300 slaves disembarked. On this particular forced journey, the African slave trade claimed 67 African lives. Mortality rates would increase as the trade continued.⁵⁵

⁵³ David Eltis, Transatlantic Slave Trade Database, "Voyage 46474"

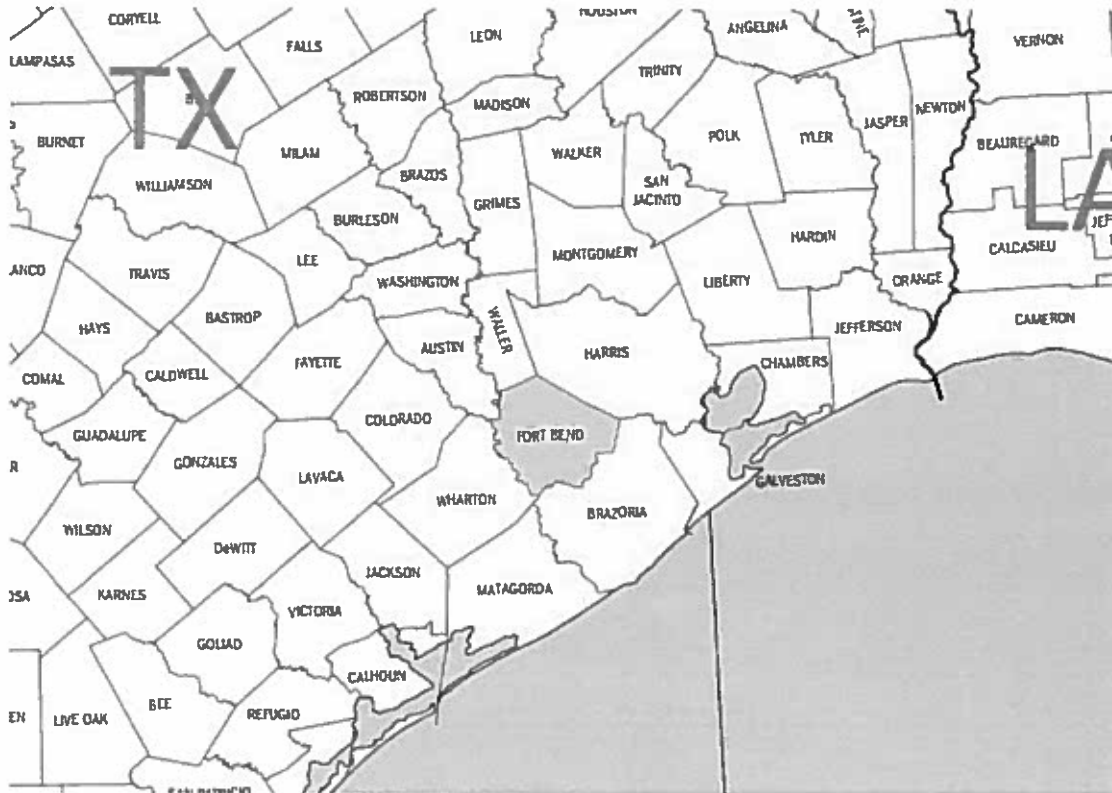
⁵⁴ Marcus Rediker, *The Slave Ship: A Human History* (New York: Viking Press, 2007), 43.

⁵⁵ David Eltis, Transatlantic Slave Trade Database, "Voyage 46474."

Eventually, the outcry led to the abolitionist movement that successfully fought for the prohibition of the African slave trade.

With Texas's independence, practices that were once acceptable when Texas was a part of Mexico came into conflict as Texas tried to align its slave system to that of the United States. Both the United States and Great Britain saw the slave trade between Cuba and Texas as Texas' way of circumventing the ban on the African slave trade. The perception that African or *bozal* slaves were entering Texas illegally came to dominate discussions of Texas annexation. Newspapers like the *Colored American* turned its attention to the Cuban slave trade. It reported that some ships still were "publically fitted out from Cuba and immense numbers of slaves had been imported into that island *with the open connivance of the authorities.*"⁵⁶ The author placed emphasis on the last words to argue that the Texans openly participated in the African slave trade, and its officials, such as President Sam Houston, knew what ports these slavers used, where they disembarked, and the "secret" sale places for these African slaves, and yet

⁵⁶ *The Colored American*, October 5, 1839.



Map of Fort Bend County, Texas

they turned a blind eye. A short-lived newspaper out of New York that advocated emancipation, *The Colored American* noted there was a \$200 difference in buying a *bozale* slave in Cuba and a seasoned hand in New Orleans or Galveston.⁵⁷ With these growing plantations and Houston's call for more cotton, purchasing cheaper slaves meant keeping labor cost low while keeping profits high.

Many of the illicit slave traders were heroic and celebrated figures, such as James Bowie, a prominent figure in the Texas Revolution, and James Walker Fannin, who died at Goliad. Both men had served in Sam Houston's army. Both men were depicted as martyrs, and after the Revolution, their pasts as slave traders were systematically erased. Their stories show how deeply rooted the African slave trade

⁵⁷ *Ibid.*

was in Texas. James Bowie and his brother were known for their participation in carrying their African slaves to America and reporting them to Customs, where they knew their African slaves would be jailed and then re-sold cheaply at auction. They then would re-purchase them, therefore, making them legal.⁵⁸ Most of these illegal slaves resided on a handful of plantations in Fort Bend and Brazoria Counties (see map), in particular, the Chenango Plantation owned by Monroe Edwards. In 1833, Monroe Edwards emigrated from Natchez with his family to Texas. After the death of his father, his family fell into poverty; this led to his first money-making venture—a slave run to the African Coast from Galveston. On this ill-fated trip, the vessel shipwrecked and the crew was separated. This difficulty did not stop Edwards; it only whetted his appetite. He found a way to purchase African slaves through a loophole in the anti-slave trade agreement between Spain and England.⁵⁹

To suppress the African slave trade, Great Britain created Mixed Commissions to prosecute those engaged in the illegal African slave trade. These commissions symbolized a global response and commitment to stop the African slave trade through legal means. These Mixed Commissions were part of a multi-national treaty in which the Netherlands, France, Spain, and Portugal agreed not only to end the African slave trade but also to establish groups of three men who would prosecute sailors caught

⁵⁸ *Niles Weekly Register*, (Baltimore) 1814-1837, vol. 15, 269, Hazel Akehurt, "Sectional Crises and the Fate of Africans Illegally Imported into the United States, 1806-1860" *American Nineteenth Century History*, Vol. 9, no. 2 (June 2008), 103, Ernest Obadele-Starks, *Freebooters and Smugglers: The Foreign Slave Trade in the United States after 1808* (Little Rock: The Arkansas University Press, 2007), 61-63.

⁵⁹ See Frank Triplett, *History, Romance, and Philosophy of Great American Crimes and Criminals* (New York: N.D. Thompson Publishing Co, 1885), 131-145; *The Celebrated and Extraordinary Trial of Colonel Monroe Edwards for Forgery and Swindling* (Herald Office, 1845); Obadele-Starks, *Freebooters and Smugglers*, 69; and Clarence Wharton, *History of Fort Bend*, 43. There are different accounts of Edwards, for instance where he emigrated from, his involvement in the trade, etc. The one agreement is how he was caught and that his partner, Christopher Dart sued him over breach of contract.

carrying slaves across the Atlantic. Many nations allowed the British navy the right to search, as they had the committed manpower. However, the commissions failed because most of the captured sailors were sent back to the original nations for trials.⁶⁰

Sam Houston, in a bid to gain diplomatic recognition, gave Great Britain permission to board Texas ships. This move was similar to actions taken in 1812 when the United States went to war with Britain over the forcible boarding of United States vessels and impressment of soldiers.⁶¹ President Houston, in an act of diplomacy, hoped that by giving permission to Great Britain to board Texas ships, they would see that Texans were legitimate merchants, not slavers. One newspaper claimed that instead of gaining their freedom, recaptured slaves found themselves stranded on islands working in mines or plantations with little hope of gaining freedom.⁶² It went on to state that "since 1835, the Mixed Court turned the Bozals [sic] over to the British islands. In that year considerable numbers of slavers were shipped from Cuba to Texas."⁶³ This was the same year that Monroe Edwards purchased a group of *bozales* with the help of his business partner Christopher Dart. These slaves were classified as apprentices and sold for 200 dollars each. This was another way for slave traders to participate in this illicit trade and find a way to "legalize" their *bozal* slaves. President Sam Houston knew of the difficulty about suppressing the African slave trade, and this

⁶⁰ Leslie Bethell, "The Mixed Commissions for the Suppression of the Transatlantic Slave Trade in the Nineteenth Century," *Journal of African History*, vii, 1 (1966), 79.

⁶¹ This is just one of the many reasons the United States declared war on Great Britain.

⁶² Roseanne Adderley, *New Negroes from Africa: Slave Trade Abolition and Free Settlement in the Nineteenth-Century Caribbean* (Bloomington: Indiana University Press, 2005) 23-93. Adderley looks at the communities, formed by recaptured slaves, in the Bahamas and Trinidad.

⁶³ *The Colored American*, April 18, 1840.

difficulty explained his refusal to expend any resources to pursue aggressively the slavers along the Texas coastline.

Historian Sean Kelley's work was one of the first to pinpoint which Texas plantation owners participated in the African slave trade by searching through deed books and records in an attempt to piece together what happened to these slaves once they arrived. While his work is limited to no more than five plantations and two to three counties, his study discovered that once slave runners were able to transport the African slaves to their destinations without being caught, there was little chance these *bozales* would be recaptured.⁶⁴ Some slave traders, like Edwards and Fannin, used their fortune to purchase some of the largest plantations in Texas. These plantation owners usually held seats in the legislature or had high enough connections to get the attention of President Sam Houston. These plantation owners and President Sam Houston had a symbiotic relationship; they both needed each other to succeed. The planter would produce the cotton, and Houston, as president and head of diplomacy, would open avenues to sell their product.⁶⁵

In the end, abolitionists characterized Texas as a place of darkness with no system in place to police the importation or exportation of slaves. As a new nation, Texas sought diplomatic recognition and formal commercial trade agreements with the United States. Texans, who viewed themselves as Americans, had one goal: annexation. They saw this as a long awaited return to the fold. However, they failed to

⁶⁴ Sean Kelley, *Los Brazos de Dios: A Plantation Society in the Texas Borderlands, 1821-1865* (Baton Rouge: Louisiana State University Press, 2010).

⁶⁵ See Triplett, *History, Romance, and Philosophy of Great American Crimes and Criminals* and William C. Davis, *Three Roads to Alamo: The Lives and Fortunes of David Crockett, James Bowie and William Barrett Travis* (New York: Harper Perennial, 1999).

anticipate abolitionist sentiment to stop any possibility of the United States annexing Texas.

When Houston applied for annexation, he underestimated the growing abolitionist opposition. His faith in his old mentor, President Andrew Jackson was misplaced. Not only was he at the end of his presidency, but he was more concerned with securing his legacy with the election of Martin Van Buren.. In private correspondence with Houston, Jackson worried that if the United States were the first to diplomatically recognize Texas, the United States would be accused of being behind the Revolution.⁶⁶ Houston sent two envoys, Memucan Hunt and William Wharton, to rally support for annexation. As the application stalled, President Houston watched and intervened with his diplomats.

Texas faced an expected opponent in its bid for statehood, a more militant and global abolitionist movement. The abolitionist movement expanded with the Second Great Awakening, which deemed slavery as sinful. In 1831, William Lloyd Garrison began publishing his newspaper, *The Liberator*, vowing to be heard. He warned that he would be "harsh with the truth, and as uncompromising as justice. On this subject [slavery], I do not wish to think, or speak, or write with moderation."⁶⁷ He called for the "immediate" instead of gradual emancipation of slaves and the promotion of temperance, pacifism, and women's rights. The Society sought to change Americans' minds about the evils of slavery through lectures and personal accounts from freed slaves such as Frederick Douglass and Williams Wells Brown, which were later

⁶⁶ Haley, *Sam Houston*, 175 and Friend, *Sam Houston: The Great Designer*, 35.

⁶⁷ William Lloyd Garrison, "William Lloyd Garrison Begins the Liberator, 1831." A primary document found in Stanley Harrold, *American Abolitionists* (Essex: Pearson Education Limited, 2001),112-113.

published and sold to support the movement. They began to petition and call for anti-slavery resolutions from their elected officials.⁶⁸ In 1838, Arthur Tappan urged fellow members to use the ballot to stop the annexation of Texas, as well as any official running for office who did not support anti-slavery legislation.⁶⁹

An antislavery activist from New Jersey, Benjamin Lundy wrote one of the first “state of affairs” for Texas.⁷⁰ He contradicted Sam Houston’s justification for revolution—the overthrow of a tyrannical government—against Mexico.⁷¹ Lundy, through some means, gained unprecedented access to plantation owners and regular citizens. Lundy wrote his report at the height of Sam Houston’s popularity, at a time when Houston pushed for large plantations to produce more cotton, an approach, as we have seen, which resulted in an increase in the number of slaves in Texas. One wonders if people would have been as open in their opinions had Lundy revealed his abolitionist stance or his ties, which were quite extensive. His report addressed abolitionist-antislavery activists in Congress, like John Quincy Adams, Daniel Webster, James Tallmadge, and others and was a call to arms for abolitionists. In his address, Lundy compared the revolution to filibustering.⁷²

John A. Quitman fell into the category of filibuster when he entered Texas to serve in General Sam Houston’s army. He chose to become a lawyer over his father’s objections; his father was a Lutheran minister who urged his son to train as a priest.

⁶⁸ Ibid., 32-35.

⁶⁹ *The Colored American* (September 15, 1838).

⁷⁰ Benjamin Lundy’s pamphlet was titled, *The War in Texas: A Review of Facts and Circumstances; showing that this contest is a crusade against Mexico, set on foot by Slaveholders, Land Speculators, & c. in order to re-establish, extend, and perpetuate the System of Slavery and the Slave Trade* (Philadelphia: Merrihew and Gunn, 1837).

⁷¹ General Sam Houston in a number of advertisements argued that the Revolution was about overthrowing a tyrannical government. He argued the war was not over the issue of slavery.

⁷² May, *Manifest Destiny’s Underworld*, xv.

Too young to fight in the War of 1812, Quitman moved to Ohio to practice law; however, he returned to Natchez, Mississippi in 1821. He soon was elected to state office and later governor. When he first heard of the Battle of Alamo, where a couple of hundred Texas soldiers held the citadel against the full force of the Mexican Army until their deaths, he gathered 20 men and made his way into Texas. He crossed the Sabine River, the boundary line between Texas and Louisiana, but by the time he and his men were able to catch up with the Texas army, Sam Houston had captured General Santa Anna and the war was over. He returned to Mississippi, but it did not stop him from participating in other filibustering expeditions. By the Civil War, he was an ardent secessionist and fought for the western expansion of slavery.⁷³

Lundy claimed that the mission behind these filibusters was to establish an empire for slavery, and Texas was a key component of that empire. Filibusters did not act in secrecy. In 1835, the President of the United States, Andrew Jackson, denounced these "expansionists," but he did not order soldiers to patrol the Louisiana border, nor did he discourage, stop, or detain Americans from entering Texas. Quitman was far from the only filibuster; "three of every four soldiers in Texas rebel armies from January to March 1836 crossed the border after October 1835."⁷⁴ Abolitionists like John Quincy Adams denounced the Texas Revolution as unlawful, thus making the application for annexation invalid.

If someone did not object to the annexation on grounds of filibustering, Lundy argued, they ought to object over Texas unlawful engagement in the African slave trade.

⁷³ See Eric Walther, *The Fire-Eaters* (Baton Rouge: Louisiana State University Press, 1992) 83-120 and May, *Manifest Destiny's Underworld*, 27-40.

⁷⁴ May, *Manifest Destiny's Underworld*, 9-12.

Lundy wrote eloquently that the Texas Revolution “was not a war for the extension of territory, it was not a war of aggression—it was not undertaken for the advancement of national glory; it was a war which had for its sole object the obtaining of a slave market.”⁷⁵ He included in his assessment the reopening of the African slave trade. Noting that most of the African slaves entering Texas came from Cuba under the watch of a much weakened Spain, Lundy argued that the new Republic had failed to halt or address the illicit slave trade. Therefore, if they were annexed, the United States would be signaling to the world its support for the re-opening of the African slave trade. All of the work completed by abolitionists, who had fought against the African slave trade since the 1700s, would be undone. To fight against these allegations, on April 3, 1836, President Sam Houston issued a proclamation against the slave trade in Texas, prohibiting any

Extensive projects [that] have been or are about to be formed and executed to introduce Africans or Negroes into this Republic from Cuba and elsewhere, out of the United States of America, by an attempt to evade the aforesaid prohibition, by landing them on the beach, or on the east bank of the river Sabine within the United States, and then shipping them to this country. Which attempted evasion is an aggravation of the crime, for it is a violation of a neighboring and friendly nation, and may also mislead innocent persons or involve them in loss and difficulty.⁷⁶

By releasing this statement not only to Congress but also to newspapers, Sam Houston hoped to demonstrate Texas' commitment to ending the slave trade. Participants in this illicit trade, if caught, were to be treated as pirates. Sam Houston saw this proclamation as a preemptive action, a way to satisfy anti-slavery activists blocking Texas's annexation. Anti-slavery activists had a right to be alarmed by claims of re-opening the

⁷⁵ Lundy, *War in Texas*, 44.

⁷⁶ Sam Houston, “Proclamation Against the Slave Trade in Texas,” in *Writings of Sam Houston*, 1836, Vol. I-V, 1813-1836 (Austin: University of Texas Press, 1938), Vol. I, 510-511.

African slave trade, as evidenced by the location of the coastline of Texas in the Gulf Coast Region. Secondly, the increasing demand for slaves to work the cotton and sugar plantations presented abolitionists with a picture of a nation where slavery would endure in perpetuity. Lastly, the United States and Great Britain sought to contain the rise of this potential "slave empire" while, paradoxically, desiring to create direct access to markets to sell Texas cotton. Without commercial treaties, Texas was limited to selling cotton to markets in the United States. American brokers, acting as middlemen, then sold Texas cotton to Great Britain and other countries at profit. Houston realized quickly Texas needed not only diplomatic recognition but also commercial treaties.

In his "Texan Message," Houston hoped his proclamation would spur action on Texas' application of annexation. He claimed he could not disprove that African slaves were entering the state, but if they were, it was because the country's small navy could not police the entire coastline and at the same time protect themselves from Mexican naval attacks around Matamoros. He asked for assistance from both the Americans and the British. Some such as the *New York Spectator* were skeptical of Houston's claims.⁷⁷ One cannot underestimate the impact of Lundy's tract which was widely serialized in newspapers.

By the time, Memucan Hunt arrived in Washington, D.C. northern public sentiment had been profoundly influenced by Lundy.⁷⁸ Houston appointed Hunt as Minister Extraordinary and Plenipotentiary of the Republic on December 31, 1836, making Hunt the country's first official diplomat. A cotton planter from Mississippi, Hunt

⁷⁷ "Texan Message," *New York Spectator*, 1835.

⁷⁸ Sam Houston, "Proclamation of the Appointment of Memucan Hunt Minister to the United States," in *Writings of Sam Houston, 1836, Vol. I-VI, 1813-1836* (Austin: University of Texas Press, 1938), Vol. IV, 25-26.

along with James Pinckney Henderson had traveled to Texas to fight in the "Revolution." Unfortunately, they arrived a month after the fighting ended. Houston appointed Henderson Acting Secretary of State upon the death of Stephen F. Austin. In the Proclamation appointing Hunt, Houston empowered him to secure the "recognition and independence of the Republic" as well as "respond to any and all official and other acts requisite and necessary to be done and performed by this Republic for the purpose aforesaid and to make, stipulate, conclude and sign in the name and on the behalf there of any and every negotiation, Treaty, or Convention whether of annexation to the said United States, confederation, intercourse, limits or alliance..." Neither Hunt nor Houston expected a difficult road to annexation. Houston sent warm greetings to Martin Van Buren, the newly-elected President, introducing Hunt as the new minister from Texas. Houston stated that Hunt's mission was to "cultivate friendly relations with the United States..."⁷⁹

Abolitionist groups had already begun petitions against annexation.⁸⁰

Abolitionists used the celebration of the third anniversary of the emancipation of slaves in the British West Indies to invite members of the New York Committee on Vigilance to sign petitions in opposition to slavery in the District of Columbia and against the annexation of Texas.⁸¹ This was not unusual. Jeffrey Kerr-Ritchie argues August First "commemoration(s) of West Indian emancipation for the purpose of mobilization against

⁷⁹ Sam Houston, "To Martin Van Buren," in *Writings of Sam Houston, 1836, Vol. I-VI, 1813-1836* (Austin: University of Texas Press, 1938), Vol. IV, 30-31.

⁸⁰ Texas applied for annexation three or more times before being admitted into the Union. This chapter looks solely at the first attempt when Anglo-Texans felt that all they needed to do was win their independence from Mexico and they would be admitted into the United States. It is the denial of this application that forced the new Republic to initiate, pursue international diplomatic relations.

⁸¹*The Colored American*, July 29, 1837.

American slavery.”⁸² David Ruggles, Kerr-Ritchie asserts, used the August First to “declare war on all forms of legal and illegal slavery together with helping fugitives escape the clutches of slaveholders and city officials.”⁸³ Former President and now Congressman John Quincy Adams presented a petition signed by 3,000 women from Boston who asked that their names be published, and Congressman Cushing presented 112 memorials against Texas’ bid for statehood.⁸⁴ Mr. Phillips, from the Mississippi legislation, suggested that

the importance of the annexation of Texas in this Republic, upon grounds somewhat local in their complexion, but of an import infinitely grave and interesting to the people who inhabit the Southern portion of this Confederacy, where it is known that a species of domestic slavery is tolerated and protected by law...this system [slavery] is cherished as THE VERY PALLADIUM OF THEIR PROSPERITY AND HAPPINESS; and whatever ignorant fanatics may elsewhere conjecture, [they do not reside in the South]...⁸⁵

Mr. Phillips’ attempts to quiet the abolitionists and exert authority about slavery failed.

In the end, Dr. William E. Channing called the discussion of Texas’s annexation premature. He acknowledged that while the slave states would consider the annexation as vital “one step toward the increase of Slavery, or the extension of it within her limits,-- it must be with a face turned earthward, and a cheek burning with shame at her own want of moral courage;--or else with full defiance of man and God, and a brazen front which it needs no prophet to foretell will soon be scathed by the lightings of the Almighty.”⁸⁶ These petitions, as well as opposition from President Martin Van Buren,

⁸² Jeffrey Kerr-Ritchie, *Rites of August First: Emancipation Day in the Black Atlantic World* (Baton Rouge: Louisiana State University, 2007), 75.

⁸³ *Ibid.*, 75.

⁸⁴ *The Colored American*, October 21, 1837.

⁸⁵ *The Colored American*, September 23, 1837.

⁸⁶ *The Western Messenger Devoted to Religion, Life and Literature* (1835-1841), November 1, 1837, 165.

stalled annexation. Sam Houston continued to communicate with his two diplomats to press their case for annexation, and their initial reports were positive as they relied strongly on the support of the South.

Sam Houston and his diplomats in the United States were overconfident in the political strength of their southern friends. One of the most vocal proslavery activists for the annexation of Texas was John C. Calhoun. Calhoun entered political life in 1810 and quickly rose in the ranks to become the vice-president of John Quincy Adams and Andrew Jackson. He expressed his opinion of slavery in his speech, "Slavery A Positive Good," in which he warned legislators not to be swayed by the large number of antislavery petitions. He suggested that these petitions should be sent directly to a committee that would summarize their main points. He challenged abolitionists to see slavery "in the present state of civilization, where two races of different origin, and distinguished by color, and other physical differences, as well as intellectual, are brought together, the relation now existing on the slaveholding states between the two, is, instead of evil, a good—a positive good."⁸⁷

In 1832, Calhoun broke rank with Jackson after the South felt that the federal tariffs helped northern industry at the expense of its southern brethren. He wrote a treatise that advocated state's rights, which could be used to nullify federal acts that were detrimental to state interests. South Carolina had nullified the Tariff of 1828. Jackson considered any action of nullification as an attack against the Union, and with power given to him in the Force Bill, he sent troops and the Navy to Charleston. A year later, Congress lowered the tariff. The dispute would contribute to southerners' support

⁸⁷ John C. Calhoun, "Slavery A Positive Good," *Daily National Register*, February 10, 1837

of annexation. Sam Houston hoped to show that a failure to annex Texas was none other than an overreach of northern Congressional power. He tried to remove the question of annexation from slavery.

With the stakes high, a southern congressman, John Campbell of South Carolina, threatened his northern colleagues that if the United States would not annex Texas, then Texas would surely reopen the African slave trade. He argued "that if she comes into the Union, she will get her slaves from the United States, and if she remains without, she will get them from Africa? And whether, therefore, the effect of his opposing her admission is not the extension of the African slave trade." Former President, now Congressman John Adams of Massachusetts urged Congress to allow Texas in the Union as a reservoir for freed slaves. He believed that slavery would eventually die from a natural death, as he noted that slavery was dying in the upper South, with the westward expansion of the United States.⁸⁸ Adams, like many others, equated manifest destiny (i.e. westward expansion) in terms of whiteness. Adams envisioned westward expansion for small landowners, but what he failed to take into account was that even small landowners owned slaves.

The political wrangling did little to push Texas' application through Congress. Although Andrew Jackson offered diplomatic recognition, he could not deliver statehood. This left Texas in a quandary on whether to continue to press its case or to take its case abroad.

In 1838, at the end of Sam Houston's term in office, he appointed Anson Jones as minister to the United States to replace Memucan Hunt and to continue to assist with

⁸⁸ *The Colored American*, August, 11, 1838.

their application for annexation. Jones, like fellow immigrant Sam Houston, came to Texas with a restless spirit. He was a doctor licensed to practice in Oneida, New York in 1820. Around 1822, he opened up a drugstore that eventually failed, leaving him in considerable debt. Jones attempted to go west to evade his creditors but was arrested in Philadelphia, which left him stranded in the city practicing medicine and teaching. In 1824, Jones went to Venezuela for two years, after which he returned to Philadelphia where he established a new practice. Finding it difficult to make a living, he went to New Orleans as a commission merchant in 1832, and a year later, he arrived in Texas. He initially set up a medical practice in Brazoria County, but upon seeing the “frontier-like” conditions, Jones decided to leave. Finally, once he was accepted by the upper echelons of society, he convinced himself to stay and give Texas a chance. As tensions rose between Mexico and Texas, he urged caution and restraint. Nevertheless, when war broke out, he enlisted and remained a private, although, he acted as judge and surgeon for his regiment. He was elected to the Second Congress of the Republic of Texas; however, he transitioned soon from a state representative to a diplomat.⁸⁹

In 1838, Sam Houston had him withdraw Texas’ annexation proposal from the United States. In the Lamar Administration, Jones became Secretary of State, and with the assistance of several diplomats, began to seek diplomatic recognition from Great Britain and France.⁹⁰ The young Republic did not give up hope of joining the United

⁸⁹ Herbert Gambrell, “Anson Jones,” *TSHA and Anson Jones, Memoranda and Official Correspondence Relating to the Republic of Texas* (New York: Appleton 1859; rpt. 1966) 1-26. At the beginning of *Memoranda*, Jones provides a brief autobiography of his life.

⁹⁰ Jones, *Memoranda and Official Correspondence Relating to the Republic of Texas*, 1-26.

States, however: they kept a small legation in Washington, D.C. Recognition from other nations, they calculated, would push annexation forward.

The push for wealthier settlers meant larger plantations, which allowed more cotton to be planted. This called for a larger labor force, thus more slaves. Houston turned a blind eye to the increasing number of slaves entering the Republic as well as the smaller but still significant number of illegal African slaves making their way to Texas plantations. Houston argued that he did not have the means to stop the African slave trade, even though slavers used the same route along the Sabine River to dock and disembark their slaves.

Because of a growing debt, Houston was desperate to engage in global trade to jumpstart the Republic's economy. He sought diplomatic recognition in order to secure loans and establish favorable trade conditions. Houston applied for statehood or annexation to the United States and later dispatched special envoys to the United States, France, and Great Britain. American abolitionists shared their concerns with their British counterparts as Texas sought diplomatic recognition from their government. As the issue of slavery played a key role in the admission of territories, not surprisingly, the annexation of Texas became contentious. In 1838 and at the end of his presidential term, Sam Houston withdrew Texas' annexation proposal from the United States. During this period, Houston dispatched John Pinckney Henderson to England and France. Again, they would be faced with the issue of slavery.

CHAPTER 3

FIGHTING FOR DIPLOMATIC RECOGNITION

In 1835, John Taylor illegally transported six black British subjects to Texas creating an international incident.¹ For five years, the British government fought for the return of their subjects, which further complicated Texas' efforts to gain diplomatic recognition. More than a claim of sovereignty, diplomatic recognition would allow the new country to borrow money and more importantly, to establish commercial treaties that defined ports of trade, tariffs, and new trade markets. The newly appointed Secretary of State, John Pinckney Henderson faced a diplomatic minefield. In the United States, the North remained opposed to annexation as long as no armistice between Texas and Mexico existed but there continued to be support from southern states. Mexico continued to argue that the Texas Revolution was illegal and the actions of the revolutionaries should not be condoned or recognized. In spite of Henderson's maneuvering, it would be the successful resolution of the case dealing with six black British subjects that gained Texas, diplomatic recognition.

With the death of the Secretary of State, Stephen F. Austin, on December 27, 1837, Sam Houston appointed a 29-year-old Henderson as head of the State Department. During Henderson's term as Secretary of State, abolitionists attempted to curtail the spread of slavery by blocking the annexation of Texas and preventing its expansion in the Gulf Coast region. The Gulf Coast region, consisting of areas surrounding the Gulf of Mexico, was no longer insulated from anti-slavery forces following the establishment of the new slave republic, Texas. In 1834, England

¹ "Trial for Slave Dealing," *Court and Lady's Magazine* 18 (September 1840), 239-243.

emancipated slaves in the Caribbean, and in the United States, anti-slavery forces successfully stymied the expansion of slavery and began an aggressive diplomatic campaign to suppress the Atlantic slave trade within other countries.² The rise of the young republic brought great commercial promise; nevertheless, it threatened the work of abolitionists with the increase of slaves and possibilities of re-opening the African slave trade. J. Pinckney Henderson, as Minister Plenipotentiary to Great Britain and France, worked to open global markets for Texas cotton, while attempting to silence any discussion of the increasing number of slaves in Texas.

After changing Henderson's appointment from Attorney General to Secretary of State, Houston continued with his appointments and selected first, Memucan Hunt as Minister Extraordinary Plenipotentiary and then, William Wharton, a plantation owner in Fort Bend, as another Minister Plenipotentiary to the United States.³ Houston gave Hunt permission to open negotiations with the United States government, "touching the recognition of the Independence and Sovereignty of the Republic, and touching and concerning all rights, privileges, and immunities incident thereto and touching and concerning all other matters and things which are or may hereafter be desirable to this

² By the 1820s, Great Britain signed anti-slave trade treaties with the Netherlands (1814), France and Portugal (1815), and Spain (1817 and 1820). Leslie Bethell aptly points out that "prohibition, however, was by no means the same as suppression; a trade which had been carried on for three centuries and which was closely linked to powerful economic interests in Western Europe, Africa and the Americas could not be abolished by diplomatic engagements alone, nor even by legislation." Leslie Bethell, "The Mixed Commissions for the Suppression of the Transatlantic Slave Trade in the Nineteenth Century," in *Journal of African History*, vii, I (1966), 79. An example of American abolitionist slowing the expansion of slavery came with the discussions around admitting Missouri into the Union as a state.

³ Hunt acted as a present-day Ambassador and Wharton as "Co-Ambassador," someone with more power than a consul. Houston to Henderson, December 31, 1836, *Diplomatic Correspondence of the Republic of Texas*, Vol. II., George Garrison, ed., (Washington: Government Printing Office, 1908), 81. Garrison adds a caveat at the beginning of Volume II that he found a whole set of letters after the publication of Volume I. He added these letters at the beginning of Volume I. In this letter, Houston gives full power to Wharton and Hunt to "negotiate for the recognition of the Independence of this Republic with the authorities of that government, and to do all necessary acts and things for the purpose of effecting the object of their agency."

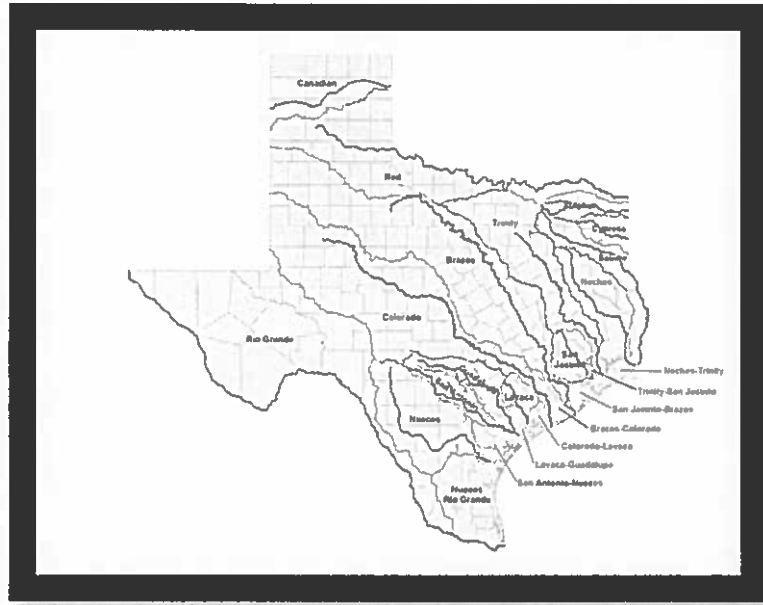
Government..."⁴ Houston and Henderson repeatedly used the word touching, instead of a more definitive word, in their instructions to the first diplomat to the United States. This cautious, almost hesitant, approach would be characteristic of Henderson. Henderson realized that, while Texans fought successfully on the battlefield, they did not realize that there was another unforeseen war front—public sentiment. This sentiment particularly held true in the American north. By the time the new government turned their attention to the indictments brought publically against them in newspapers, Houston and Henderson grasped that simply writing letters to influential people in government entreating them to take up Texas' cause would not work.⁵

Henderson first secured the northern border around Red River against Native Americans, who saw an opportunity to stop Anglo-American expansion. Next, he instructed William Wharton and Memucan Hunt to "continue to urge the propriety on the part of the Government of the United States of stationing a sufficient number of regulars in the vicinity of the Town of Nacogdoches to keep the Cherokee in subjection and distinction of Territory and if they once commence hostilities in Texas it inevitably will extend to the citizens of the United States."⁶ Neither Henderson's nor Sam Houston's first concerns were about international matters. Henderson's concern centered more on immigrants murdered on their way to their settlements, and he sought protection for them.

⁴ Sam Houston, "PROCLAMATION OF THE APPOINTMENT OF MEMUCAN HUNT MINISTER OF THE UNITED STATES," in *The Writings of Sam Houston*, Vols. I-VII, edited by Amelia W. Williams and Eugene C. Barker (Austin: Jenkins Publishing Company, 1970), IV, 25-26.

⁵ Houston wrote Andrew Jackson several times as well as Martin Van Buren, asking about the political climate. Please see Chapter 2.

⁶ Henderson to Wharton and Hunt, January 21th, 1837, *Diplomatic Correspondence of the Republic of Texas*, Part I., George Garrison, ed., (Washington: Government Printing Office, 1908), 177-178. Henderson repeated the request—Henderson to Wharton and Hunt, February 19, 1837, *Diplomatic Correspondence of the Republic of Texas*, Part I., George Garrison, ed., 194-195.



The Red River is the northern border of Texas

Wharton and Hunt, on behalf of Texas and under the direction of Henderson, continued to pressure the United States for diplomatic recognition.⁷ They claimed that without diplomatic recognition immigration was almost at a standstill, and that they could not recover financially nor prove themselves credit worthy. The two diplomats implored President Andrew Jackson:

We are not supplicating a favour, but are respectfully imploring the extension to us of that act of justice which this Government has properly and nobly extended to other rising Republics under far worse circumstances. We know that the claims of Texas to an immediate recognition are a hundred fold stronger than

⁷ William H. Wharton, a Tennessean, immigrated to Texas after marrying into the wealthy slaveholding Groce family in 1827. He met Groce's daughter in Nashville where he lived and she went to school. Marrying Jared Groce's daughter gave him access to the upper echelon of Texas society as well as a third of Groce's property. Wharton and Sarah Ann settled in Brazoria and built Eagle Island Plantation. He transitioned into politics, and while a friend of Austin, he strongly supported the Texas Revolution. In fact, he wrote several letters to the Mexican government documenting Anglo-Texan dissent. During the Revolution, his family from Tennessee joined him in Texas, and he began his first role as a diplomat as he traveled around with Austin trying to get assistance from other colonists and the United States. After the war, he supported Austin's presidency, and when his candidate lost, he returned home. However, President Sam Houston appointed Austin as secretary of state. He chose Wharton as diplomat. Unfortunately, Austin died months into office. Wharton would continue as a diplomat with Hunt. See Captain William Wharton Groce, "Major William A. Wharton," *Southwestern Historical Quarterly*, Vol. 19, 1916: 271-278. The author switches the middle initial of Wharton's name from A to H in the article.

were those of Mexico or of the South American States at the period of their recognition.⁸

Unfortunately, President Jackson chose to use his political capital to secure the election of his vice-president, Martin Van Buren. In the last minutes of his presidency, however, Jackson appointed an unknown diplomat from Louisiana, Alcéé La Branche, to Texas as a chargé d'affaires.⁹

Hunt, naturally pessimistic, became concerned that the Texas legation's mission of quickly achieving annexation never had a chance.¹⁰ In April of 1837, Texans' excitement over the appointment of the United States chargé d'affaires La Branche waned.¹¹ Hunt suggested to Henderson that they should send a secret emissary to Great Britain to

ask the recognition of our Independence. That Government will naturally ask wherefore, as it is the expressed wish of the Texian nation to become annexed to the United States by an almost unanimous vote that to make a treaty with Texas to be annulled at her pleasure could not be listened to for a moment, and that unless higher and more advantageous terms could be offered to Great Britain, she would not enter into diplomatic relations with Texas; and it will be in my opinion be the policy of our government to promise to G. Britain (in event of our sending an agent there, and failing to become annexed to these States, *after all efforts have failed*) to give to her by treaty such commercial advantages as it will be our interest to do, in which event she will be induced to recognize us; the success in attaining which, I believe guarantee our annexation to this country, for

⁸ Wharton and Hunt to Rusk, February 20, 1837, *Diplomatic Correspondence of the Republic of Texas*, Part I., George Garrison, ed., 195-196. Although the letter is to Rusk, it is really "copied" to Rusk. This letter was sent to President Andrew Jackson in his last days of office.

⁹ Wharton and Hunt to Henderson, March 5th, 1837, *Diplomatic Correspondence of the Republic of Texas*, Part I., George Garrison, ed., 201.

¹⁰ Memucan Hunt, like many of Texans of his era, was a filibuster. A native from North Carolina, he moved first to Mississippi. When he heard of the war in Texas, he arrived too late. The Battle of San Jacinto had just ended. The interim president, David G. Burnet still gave him the title brigadier general. He retired his commission after the war, but he continued to participate in government and threw his support behind Austin. Houston appointed him, along with Wharton, as diplomats. When Wharton left, he appointed Henderson as Minister Plenipotentiary to the United States. Henderson established a legation. A legation was an unrecognized embassy and had certain rights.

¹¹ Texans viewed the appointment of LaBranche, a southerner, as an assurance that the United States would grant the new republic diplomatic recognition. When Texans realized he was there simply as a figurehead, they became disillusioned.

so ardent are the Southern States to procure the annexation of Texas to the Union that I believe the consequence of a failure to accomplish it, will produce a dissolution of the Union....¹²

At this point, annexation talks stalled once again, and unlike Wharton, who saw the futility of their mission and asked to be recalled, Hunt believed in the political power of the South. Nevertheless, he later admitted in the letter that opposition led by John Q. Adams, a former president who wanted petitions to emancipate slaves read on the Congressional floor and placed in the Congressional record, was a larger obstacle to overcome than he had anticipated. Hunt argued that by the time he arrived in Washington, the abolitionists had gained public sentiment for anti-slavery, making Congress unwilling to move quickly on Texas' application for annexation. After consulting with Senator Daniel Webster, a northern Whig, Hunt accepted his advice to wait until after the election. Surely, Van Buren, a Jacksonian Democrat, would push for annexation, thus providing a "little excitement."

Within four months, two events occurred that had a major impact on Texas' plans. The United States' Secretary of State John Forsyth accused the young republic of dealing in the African slave trade. Forsyth provided Hunt with information on African slave traders who sought to sell slaves within Texas. Hunt saw this accusation as a stalling tactic to avoid the issue of annexation and responded as such. Hunt reminded Forsyth and the United States Congress that President Sam Houston had issued a proclamation prohibiting the African slave trade and declaring participants in the illicit trade pirates. Hunt emphasized that the only slaves allowed legal entry into the Republic of Texas were those who came with their owners from the United States.

¹² Hunt to Henderson, April 15, 1837, *Diplomatic Correspondence Concerning The Republic of Texas*, Vol.1, George Garrison, ed., 208-211.

Then, Henderson returned to what he deemed a more pressing issue—Native American disturbances around the Red River area and the promised help from the United States that was still unfulfilled.¹³

Within days, Forsyth replied that the United States stood ready to suppress the African slave trade, but then he implied that Hunt and Texas politicians knew who these traders were, where they would land, and where they traded. He assured the Texas government that as “soon as this information is supplied, the President will lose no time in adopting the most efficient measures to frustrate any attempt to violate the laws of the United States, or to make any portion of their territory the pretext for evading the laws of a neighboring State against the Slave trade.”¹⁴ Forsyth, a southerner, viewed Texas as a complicit actor in the African slave trade. These new charges, added to the accusations of inciting a rebellion, further damaged Texas’ desperate attempts to seek annexation.

Hunt was in disbelief when he read Forsyth’s thinly veiled accusations. He made clear that the information imparted to him simply stated a shipping vessel carrying African slaves from Cuba would land somewhere along the Sabine River. The Sabine River, he pointed out, functioned as the boundary line between the Republic of Texas and the United States. Angrily he reminded the Secretary

[I]t is a practice which, without the constant attention of an ample naval force in the Gulph [sic] between the United States and Cuba do not sell there generally for more than half the amount of what they are worth in the United States. Consequently, the frustration of the plans of a Company in one shipment of negroes from Cuba in this way would not, it is believed, prevent a continuance of the practice...it was not to secure Cruizers [sic] in the Gulph [sic] for a week or a

¹³ General Hunt to Mr. Forsyth, July 18, 1837, *Diplomatic Correspondence Concerning The Republic of Texas*, Vol.1, George Garrison, ed., 248-249.

¹⁴ Reply of Mr. Forsyth, July 24, 1837, *Diplomatic Correspondence Concerning The Republic of Texas*, Vol.1, George Garrison, ed., 249.

month, but to inform this government that there were arrangements, it was understood and believed, in contemplation to violate the laws of the United States....¹⁵

Hunt thought by revealing this scheme that Texas aligned its slavery laws with those of the United States and demonstrated their seriousness in stopping the African trade to the area.

This interaction also shows that the battle over slavery was not only one of westward expansion, but was also over the Gulf Coast region. In 1830, the United States navy captured the *Fenix (a) Pheonix* on its journey from Havana, Cuba to New Orleans.¹⁶ The *Fenix* illegally transported 95 African slaves and its ship and cargo were confiscated. Instead of docking in New Orleans, it is noted that *Fenix* docked in the Gulf Coast (presumably Texas). Thirteen slaves died during passage. The owner re-gained ownership of the vessel and continued in the slave trade and evading the United States navy. In 1836, the *Fenix* transported 495 slaves, with only 444 surviving to Cuba. Stephanie Smallwood describes the mathematical logic captains of slave ships used to utilize the most space carrying the most cargo (slaves). This logic stripped away slaves' identities and humanity.¹⁷ Four hundred and forty-four slaves entered the Gulf of Mexico almost 20 years after the United States prohibited the African slave trade, at a time when most American slaves were second and third generation. These saltwater slaves entered into an unknown world and at the height of Gulf Coast diplomacy.

¹⁵ General Hunt to Mr. Forsyth, July 28, 1837, *Diplomatic Correspondence Concerning The Republic*, Vol.1, George Garrison, ed., 250.

¹⁶ David Eltis, *Voyages: The Trans-Atlantic Slave Database*

¹⁷ Stephanie Smallwood, *A Middle Passage from Africa to American Diaspora* (Boston: Harvard University Press, 2008) 65-101.

In the midst of these accusations, the second event occurred. President Houston re-assigned Henderson to Minister Plenipotentiary to Great Britain and France in June of 1837; he also promoted Memucan Hunt to Minister Plenipotentiary of the United States and appointed R.A. Irion as Secretary of State.¹⁸

When Henderson made it to England, the first issue he dealt with was the capture of two British vessels, the *Eliza Russell* and the *Little Penn*. The Texas Navy had captured these two ships in the Gulf on suspicion that they carried munitions and goods to Mexico. With instructions from Irion, Henderson was ordered to apologize to the British Government on behalf of the Texas captain for "transcending his orders" and capturing the *Eliza Russell*. Three months later in October, Henderson personally apologized to Palmerston, the British Minister of Foreign Affairs.¹⁹ The correspondence indicates that, in his first meeting with Palmerston, he seemed more concerned with recovering the financial losses of British merchants; Henderson was clearly taken aback having to deal with this situation. He would have rather been dealing with his mission to gain diplomatic recognition. To make matters worse, the young republic was only willing to take responsibility for the *Eliza Russell*, which the Texas Navy pillaged, but not for the *Little Penn*. A British company with headquarters in Mexico City, Lizardi & Co., owned

¹⁸ *Diplomatic Correspondence Concerning the Republic of Texas*, Vol. 1, George Garrison, ed., 253. Robert Irion made a name for himself in the Revolution when he and his partner George Aldrich gathered together an army of men to fight. Irion, by trade, was a doctor and came to Texas after the death of his first wife. He participated in the Constitutional Congress and the Republic's. Houston appointed him to Secretary of State; unlike Henderson who stayed in Texas, he traveled extensively. He remained Secretary until the Lamar administration. See Linda Sybert Hudson, "Irion, Robert Anderson," *Handbook of Texas Online* (Published by Texas State Historical Society) and Texas House of Representatives, *Biographical Directory of the Texan Conventions and Congresses, 1832–1845* (Austin: Book Exchange, 1941).

¹⁹ Irion to Henderson, August 3, 1837 and Henderson to Palmerston, October [26], 1837, "Calendar of Printed Correspondence," *Diplomatic Correspondence of the Republic of Texas*, George Garrison, ed., introductory pages.

The *Little Penn.* To Texans, Lizardi & Co. was a Mexican business. Therefore, their vessels were vulnerable to capture by the Texas Navy, and Texas refused to pay any restitution for the *Little Penn.*²⁰ Irion, noting Henderson's stalled negotiations, proposed a different approach and suggested the "appointment of an English agent in Texas would greatly facilitate the adjustment of private claims."²¹ During Henderson's tenure, the resolution of the dispute over these two vessels would remain unresolved.

During Henderson's initial meetings, Palmerston acted as if he only had a passing interest in the state of Texas.²² In reality, that summer his office sent Vice Consul Joseph T. Crawford to report on conditions in the state of Texas. As a vice consul, he was primarily the secretary to Richard Pakenham, who at the time was Consul General in Mexico. To keep a low profile, Crawford traveled first to New Orleans, then to Texas.²³ There he journeyed uninterrupted and gathered geographic information without ever informing anyone of his connections to the British Foreign Office.²⁴ He noted daily trickling of immigrants from the United States, England, and Europe on ships, mainly from the United States, entering and departing the port

²⁰ See Lizardi & Co. to Palmerston, January 5, 1838 in which he outlines his claims concerning *Little Penn* and for Henderson's response see, Henderson to Irion, January 30, 1838. Henderson states, "Does not regard the claim as just, but suggests necessity for prompt attention to it," *Diplomatic Correspondence of the Republic of Texas*.

²¹ Irion to Henderson, May 20, 1838. Irion will continue with this idea of the need for a British agent. In June, he will state again, "it is difficult to adjust them [restitution for the two British vessels] without a resident English agent," *Diplomatic Correspondence of the Republic of Texas*.

²² J.L. Worley, "The Diplomatic Relations of England and the Republic of Texas," in *The Quarterly of the Texas State Historical Association*, Vol. 9, No. 1, (Jul., 1905), 4.

²³ See Crawford to Bidwill, February 9, 1837 and Crawford to Backhouse June 5, 1837, *British Diplomatic Correspondence Concerning the Republic of Texas, 1838-1846*, Ephraim Douglass Adams, ed., 3-4.

²⁴ While the correspondence implies that Crawford's actions are to be seen as inconsequential, his reports are very important. Pakenham, according to Ephraim, gave the British hope, longer than he should have, about the Mexican reconquest of Texas. See Ephraim D. Adams, *British Interests and Activities in Texas, 1838-1846* (Baltimore: John Hopkins Press, 1910), 23-35.

pursuing trade without any custom agents to enforce any taxes.²⁵ If Texas could maintain its independence, then Crawford thought it would make a good trade partner, especially in relation to the cotton trade.²⁶

Crawford finally introduced himself to President Sam Houston as a representative of the British government. While Crawford had an interest in the new republic's constitution and government, he was more interested in "560,000 Square Miles under a benign climate, and a soil capable of producing, as much if not more Cotton than is grown in America and of a rich quality, what could be gained for Texas by exchanging her produce against manufactures...."²⁷ Crawford rightfully realized that producing high yields of cotton would require an increase in the population of slaves. He reported that, currently, the number of slaves was by "no means great," and they were treated "exceedingly well." He reminded Pakenham that the Texas Constitution allowed slavery, banned freed slaves from their territory, and prohibited the African slave trade. Unfortunately, he noted, African slave traders still found ways to dock at small Texas ports, like Indianola, undetected and, therefore, escaped justice.²⁸ Henderson, in England, continued to be waylaid with petty issues as Palmerston's agents roamed around Texas sending reports of its ability to remain independent and confirming reports of unused lands that could produce high yields of cotton and other natural resources.

²⁵ Without diplomatic recognition or commercial treaties, Texas's merchant ships were limited to United States' ports. There, they had to sell their goods instead of being able to sell their goods directly overseas. This made attaining these commercial treaties vital to Texas' economy.

²⁶ Crawford to O'Gorman, May 13, 1837, *British Diplomatic Correspondence Concerning the Republic of Texas, 1838-1846*, Ephraim Douglass Adams, ed, 5-8.

²⁷ Crawford to Pakenham, May 26, 1837, *British Diplomatic Correspondence Concerning the Republic of Texas, 1838-1846*, Ephraim Douglass Adams, ed., 9-16.

²⁸ *Ibid.*

Viscount Palmerston held off Henderson's request for diplomatic recognition at the end of 1839, and after a year and a half of waiting, Henderson was getting impatient. Gaining diplomatic recognition for the young republic meant legitimacy, the ability to trade (their flag would be respected on open water and in foreign ports), and the means to secure loans. Texas entered her third year with little diplomatic progress. Several historians have argued about the reasons why Palmerston delayed recognition. J.L. Worley understands Palmerston's postponement in terms of the young nation's sustainability.²⁹ Could Texas remain independent even as the new nation voted overwhelmingly for annexation to the United States, and Mexico failed to concede the loss of the Revolution? Ephraim Adams views the shaping of early British-Texas' relationship economically. Mexico owed England as well as France a great deal of money for the loans they secured to fight for their independence from Spain. France, in a desire to secure its debt, went so far as to blockade Mexico's ports until Mexico paid French merchants. England, on the other hand, pacified Mexico in the hopes of getting repayment, so England could not take a chance on angering Mexico by recognizing Texas.³⁰ Stephen Gamble's argument moves in a different direction. He contends that Palmerston stalled due to troubles in North America.³¹ Approving of the rebellion in Texas would signal to the Canadians that the British would not quell a rebellion. None of these explanations mention slavery. Henderson, however, indicates clearly in his correspondence that Great Britain was "fearful of offending O'Connell and the

²⁹ He later mentions the debt Mexico owed Great Britain and how that influenced early Texas-British relations. J.L. Worley, "The Diplomatic Relations of England and the Republic of Texas," in *The Quarterly of the Texas State Historical Association*, Vol.9, No. 1, (Jul., 1905), 4.

³⁰ E.D. Adams, *British Interests and Activities in Texas, 1836-1846*, 13-24.

³¹ Stephen Gamble, "James Pinckney Henderson in Europe: the diplomacy of the Republic of Texas, 1837-1840," dissertation, Texas Tech, 1976, 8-37.

Abolitionists to extend recognition to Texas.”³² Henderson was not fooled by Palmerston’s subterfuge. He knew there could be no treaty if it neither limited nor ended slavery in the new republic.

During his negotiations with England, Henderson left a small legation in London and went to Paris to push Texas’ case. A missive to the French Minister reported the arrival of Henderson requesting diplomatic recognition of Texas as well as a sizable loan. The report, over five pages long, gave an in-depth description of Texas and tied Texas’ success to annexation to the United States. The writer, quoting a Mr. David, argued “That country is nothing today will not be anything for a long while unless the Americans get possession of it to develop it for their own profit.” However, the writer responded with the obvious—significant amounts of immigrants were Americans.³³ At the end of the missive, the reporter urged caution and restraint on granting Texas diplomatic recognition. He felt the reports received were contradictory in nature concerning Texas. Some sounded too good to be true, and others did not match reports coming out of New Orleans where Customs Houses were located. The writer made it clear to Henderson that if his request was denied, it was because it was premature and had nothing to do with the issue of slavery.

³² McIntosh to Secretary of State [Burnet], November 12, 1839, *Diplomatic Correspondence of the Republic of Texas*. At this point, Sam Houston is no longer the President. Texans chose Mirabeau Lamar as their second President of the Republic. For some reason, this letter states that the Secretary of State is David Burnet, but he was actually the Vice-President. The Secretary of State was Barnard Bee; however, Lamar switched his cabinet around frequently. Daniel O’Connell was an Irish abolitionist as well as leader for Irish independence. For more on O’Connell see Angela Murphy, *American Slavery, Irish Freedom: Abolition, Immigrant Citizenship, and the Transatlantic Movement for Irish Repeal* (Baton Rouge: Louisiana State University Press, 2010).

³³ Department of Political Affairs, May 8, 1838, *The French Legation in Texas*, Vol.1, Translated and edited by Nancy C. Barker, (Austin: Texas State Historical Association, 1971), 44.

All was not lost for Henderson. France was deeply concerned with its global image after the overthrow of the Bourbon Monarchy. They strove to be seen as a world power and saw the economic and political advantages of being the first country to recognize Texas. Aware that England had sent an agent to observe and report his findings, France decided to send a "discreet envoy."³⁴

France, unlike England, was not as concerned about abolition as they were about re-establishing themselves as a world power. Henderson arrived in France in May of 1838 while awaiting word of a loan from the British government. He met with Count Louis Molé, the Foreign Minister. Unbeknownst to Henderson, the French had earlier sent an agent to Texas to observe the geographical conditions, and so he was quite knowledgeable when Henderson arrived.³⁵ Molé reported to the King that Texas lacked interest for European countries based on the belief that it was the poorest province of Mexico. The agent, however, found a land of "fertile soil, a delightful climate, a geographical position most favorable to commerce..." and it yielded fifty thousand bales of cotton.³⁶ Increased production of cotton was tied to the growing population of slaves in Texas. And while the Texas Revolution opened the door to the

³⁴ They selected M. Jean Pierre Isidore Alphonse Dubois de Saligny, second secretary of the Legation of His Majesty in Washington. de Saligny was from Caen, Normandy, and more importantly, his family name was DuBois. When he received his appointment in the Foreign Ministry, he added to his name the "de Saligny," designating that he was a lesser member of the aristocracy. In the new world, no one questioned his background; while in France, this practice was known and seen as pretentious until the end of his tenure when he was accused of putting his personal interest ahead of France's in an unethical land purchase, marrying an Mexican heiress, and claiming to be a relative to the Pope. de Saligny who arrived in Texas in 1839 to his first diplomatic appointment seemed more palatable than his British counterpart, staunch abolitionist Stephen Pearl Andrews. With de Saligny's appointment, Henderson hoped France would support Texas' independence.

³⁵ *French Legation in Texas*, Vol. 1, Edited and Translated by Nancy C. Barker, 39-40.

³⁶ *Ibid.*

westward expansion of slavery, the reliance on cotton crops as the mainstay of the economy tied the young republic to increasing number of slaves entering the state.

Slavery, the French agent noted, stalled any discussions of Texas' annexation to the United States. Obviously, southerners wanted a "slave" territory to join the Union, but the agent argued they had a hidden motive—one that could affect diplomatic relations. The South did not want to compete against Texas cotton, as the new republic's cotton would not be subjected to the same tariffs attached to American cotton. The French interest was to garner special trade agreements and protect French émigrés. The French, the agent argued, benefited most from Texas *not* securing annexation. Unlike Great Britain and the United States where there were anti-slavery cries, the French, who had slowly been pushed out of the Gulf Coast region, envisioned their role in Texas as re-establishing themselves as a global power by playing a "mentor" role in the young republic. It would have been an incredible coup for the French to gain a foothold in North America and so give legitimacy to a weak monarchy.

In explaining France's interest in Texas, historian Ephraim Adam turns to the issue of money. France and Great Britain had loaned Mexico a considerable sum of money. Owed to the banks and private merchants, this was too much too forgive and without payment could lead to an economic depression. The English diplomat to Mexico mainly focused on recovering this money. Sir Richard Pakenham, Minister Plenipotentiary to Mexico, acted as a shadow Minister to the Mexican government in an effort to stabilize the governing body, which would ensure economic stability. France, on the other hand, blockaded Mexico's northern ports and refused to allow any Mexican vessels passage until their merchants were paid. Significantly, England and France had

a sizeable presence in the Gulf Coast region. Their navies were approximately 660 miles away from the United States' border (Veracruz, Mexico to Sabine River, Louisiana), and Texas sat in the middle of this region.³⁷

There is, however a counter-narrative. The French had no intention of breaking its stance of neutrality until de Saligny presented them a deal so fantastical that blinked in greed. de Saligny would enter France into a Santa Fe colonization expedition. France would loan Texas it requested immediately and repay it through the mines within the area. The area was to be ran by two private French citizens who would settle 8,000 French settlers from West Texas (modern-day New Mexico) to Chihuahua (northern Mexico). This Franco-Texian Bill is almost passed with the strong support of President Sam Houston.³⁸ This speaks to two points, Houston was not concerned with the western part of the state and two, how desperate the Republic was for money.

Henderson was aware of de Saligny's appointment. Impatient with England's slow decision-making, he suggested that a conclusion be made on a provisional agreement with Texas to regulate trade between France and Texas while they waited on de Saligny's report and the decision from the French government. This agreement would allow trade to flow between Texas and French (including their colonies) ports. Cognizant of Texas's growing debt, the newly emerging market needed every opportunity to compete and do business. He similarly negotiated agreements with the English cabinet and the United States as they delayed recognizing Texas as an

³⁷ Joseph Chance, *Jose Maria de Jesus Carvajal: The Life and Times of A Mexican Revolutionary* (San Antonio: Trinity University Press, 2012), 174-80. While Chance is discussing the 1860s, he shows how European powers almost overtook Mexico's sovereignty because they could not re-pay their debts.

³⁸ Jefferson Morgenthauer, *Promised Land: Solms, Castro, and Sam Houston Colonization Contracts* (College Station: Texas A & M, 2009) 10-13.

independent state.³⁹ Henderson promoted trade with Texas by promising lower tariffs and prices.

In a turn of diplomatic luck, new reports flooded France during the commercial trade agreement concerning Texas. Monsieur Michael Hersaut, the French consul in Philadelphia, informed French Minister Count Molé that Texas had withdrawn its application for annexation from the United States based on Mr. Nicholas Biddle's advice and instead now sought recognition in Europe.⁴⁰ Based on hearsay, Hersaut claimed England had denied Henderson's advances due to the "Canadian troubles." How could "England openly sanction insurrection on the one hand and at the same time combat it on the other?"⁴¹ However, Hersaut claimed the conclusion of the proposed treaty of navigation and commerce was deferred as the English waited for a report from their agent.

The new president in Texas, Lamar was confronted by rising debt the result of continued small skirmishes with Mexico and Native Americans which forced them to maintain a standing army and navy with little money in its treasury. Lamar invited General James Hamilton, once the governor of South Carolina, to join Texas' search for international legitimacy. Hamilton promised Lamar that he could secure loans from Europe. To Hersaut, a career diplomat, hearing of a man being promised a job in the diplomatic corps based on the amount of money one could secure must have undermined the integrity of the job.⁴² Texas was clearly at a diplomatic disadvantage

³⁹ Department of Political Affairs, October 15, 1838, *The French Legation in Texas*, Vol. 1, p. 48. On April 6, 1838, Henderson informed the French that Lord Palmerston accepted a commercial agreement between Texas and Great Britain.

⁴⁰ Nicholas Biddle is the director of the Second Bank of the United States.

⁴¹ Hersaut to Molé, November 29, 1838, *The French Legation in Texas*, Vol. 1, p. 50.

⁴² See Ephraim Adams, *British Interests and Activities In Texas, 1836-1846*, 36-43. When Pakenham met General Hamilton, Pakenham thought he was acting above his station and asked for his credentials.

when dealing with more established, more structured diplomatic ministries. When it came to picking diplomats, Houston and Lamar lacked many choices. Few wealthy planters were willing to leave their plantations for years to negotiate for the republic.

Henderson made his first real mistake as he prepared his case for Molé. He told the head of the dying Bank of the United States, Nicholas Biddle, of the progress he had made on behalf of Texas. Biddle, in turn, told Hersaut, who was more than surprised and caught unaware, that Henderson had secured a loan and that trade would commence between the two countries. While he proclaimed his excitement since the trade would be profitable, he was against lending money to Texas. The French government lacked stability and Hersaut believed overburdening the French people with taxes would tip the country into civil war.⁴³ But Hersaut's letter arrived too late as France had already committed to Henderson by November 7, 1838. With this commitment, Henderson secured not only a new market for Texas cotton, but he also silenced any discussion of slavery with the French as the number of slaves increased.

Henderson argued that Texas' production of cotton was integral to the success of British and France textile manufacturing. The increased production of cotton meant the expansion of slavery, both geographically and demographically. Having experienced the abolitionists in the United States, Henderson tried to silence any discussion of slavery with England and France and, most importantly, the rumors of Texas' re-opening of the African slave trade. Henderson's mission began to succeed with

Of course, he did not have them, and Pakenham refused to go any further with any discussions. Finally, Hamilton's credentials arrived and Pakenham was astounded at the faith and power Texas gave him.
⁴³ Louis Philippe, of the House of Orléans, became king with the Revolution of 1830 and the overthrow of the Bourbon king, Charles X. Charles X stated he was designated King by the grace of God, and Louis Philippe understood he was simply King of the French. Baker claims during Louis Philippe's reign, there were two Frances and both sides were the extremes of their movements. See Nancy N. Barker, *The French Legation in Texas*, 17-35.

England after President Sam Houston issued the Proclamation prohibiting the African slave trade.⁴⁴

An Englishman, Charles Power traveled to Texas in 1840 to investigate the viability of commercial trade between Great Britain and Texas.⁴⁵ Not only were diplomats traveling to Texas and making inquiries, but merchants such as Power also sought new markets and cheaper raw materials to purchase. By 1842, he reported that both England and France were missing a great opportunity hiding behind what he called “the adjustment of the difficulty now existing with Mexico.”⁴⁶ Using the existing Customs Records, he created tables charting the increased production of cotton. In 1838 and 1840, Texas saw the returns of 5,000 bales of cotton, but Power argued that number was too low, claiming it was closer to 10,000.⁴⁷ Jared Groce, one of the first immigrants to Texas who came with Stephen F. Austin, purchased 100 acres and set up a cotton plantation. His first big crop in 1826 produced 100 bales of cotton with the labor of over one hundred slaves. This production equaled a “reported yield of 2,500 to 3,000 pounds per acre.” By 1833, Groce increased production to 9,000 bales of cotton, a

⁴⁴ Unlike Gamble, who sought to find other extenuating reasons that England hesitated in recognizing Texas diplomatically, by looking at England's problems with Canada, I return to the thesis that seems obvious but few Texas historians really argue—that the issue of slavery shaped Texas history, culture and politics. Historians, like Barker and Stanley Seigel, tied the Republic of Texas' origins to the same story of the United States. However, those similarities do not negate the importance of slavery. In most of the correspondence, especially during Henderson's tenure, the discussion of slavery appeared frequently.

⁴⁵ Power says in his letter to Peel that he does not know him personally but has family connections with him from Tamworth and in Warwickshire. He arrived in Texas in 1840 to establish a commercial house and eventually set up trade between Texas and Great Britain. He writes that he has invested a large sum to set up his operation only to realize that there is a hold on business between the two nations. Power, at that point, begins to ask why such a situation exists, discusses the economic potential that lays in wait, and asserts the need for an immediate solution. See Power to Peel, June 20, 1842, *British Diplomatic Correspondence Concerning The Republic of Texas, 1838-1846*, edited by Ephraim Adams, 70.

⁴⁶ Power to Saligny, June 20, 1842, *British Diplomatic Correspondence Concerning The Republic of Texas, 1838-1846*, edited by Ephraim Adams, 72.

⁴⁷ Power to Saligny, June 20, 1842, *British Diplomatic Correspondence Concerning The Republic of Texas, 1838-1846*, edited by Ephraim Adams, 77

large amount of cotton to pick, gin, and bale for transport.⁴⁸ Power was right: the numbers reported were low, but even his estimates were not close to the yield of cotton farmers.

For the years 1840 and 1841, when Henderson's duties as a diplomat were ending, Power tried to get a more accurate read on the production of cotton by looking at the yield in individual counties. During these years, Brazoria and Washington counties combined had the highest yield of cotton at 5,400 pounds of cotton. Second were the Red River counties with 5,000. Other counties reported smaller yields. The final calculation for 1841 was 19,200. The yield jumped from 19,200 to 37,700 the next year, 1842.

Power wanted England and France to believe, as Henderson argued, that production had grown from 5,000 bales to 37,000 in three years. Henderson wanted to praise these miraculous numbers but not the slave labor it took to produce and maintain high-yields. Slaves had to walk long rows with sacks on their back, picking cotton off a thorny plant, placing it in the sack, and moving it as fast as possible to avoid the overseer's eye and whip to produce such yields. Henderson sought to erase the work of slaves with promises of cheaper tariffs, better qualities of cotton, and unprecedented access to Texas ports and vessels.

Under the pretext of preventing the re-opening of the African slave trade, England expanded its presence in the Gulf Coast region. Her Majesty's Navy moved beyond Mexican ports into Texas port cities in the guise of helping Texas maintain her independence while establishing itself as a major consumer of Texas' commercial crop:

⁴⁸ National Fibers Economic Research, *150 Years of Cotton in Texas* (Austin: The University of Texas 1973), 9.

cotton. During his mission, Henderson had extolled the benefits of a commercial relationship between Texas and England and commercial ties between Texas and Europe. During his tenure, the disconnect between diplomacy and the realities of slavery became pronounced, especially in relation to Great Britain.

Henderson believed slavery was a national issue, not an issue to be discussed on a global stage. At every turn, he silenced the issue of slavery in his diplomatic dealings. Nevertheless, slavery shaped the Gulf Coast region. The Republic of Texas resembled a southern slaveholding state. In Elizabeth Silverthorne's study of plantation life, she details the use of the gang labor system, in which slaves worked, as they did on South Carolina plantations, from sun up to sun down.⁴⁹ Concentrating on the Peach Point Plantation (owned by Emily Perry, Stephen F. Austin's sister), Silverthorne praises the resilient nature of cotton plantations in the face of global and national economic demands. She argues producing and harvesting cotton was the most important duty.⁵⁰ What is missing from her detailed description is the punishment of slaves who failed to pick their quota of cotton or of slaves who resisted through one means or another.⁵¹ By downplaying the increasing number of slaves entering the state and working on cotton plantations, Texas diplomats tied their production of cotton to satisfying the needs of global economy.

Another similarity between Texas and other southern states was the rapid increase in the population of slaves over a 30-year period and the significant output of

⁴⁹ For a more complete read on plantation slavery see Charles Joyner, *Down by The Riverside: A South Carolina Slave Community* (Urbana: University of Illinois Press, 1984), 127-141 and Anthony Kaye, *Joining Places: Slave Neighborhoods in the Old South* (Chapel Hill: University of North Carolina Press, 2009), 83-119.

⁵⁰ The Perrys's Peach Point was owned by Stephen F. Austin's sister, Emily and her husband. It was located in Jones Creek in southern Brazoria County, about 30 miles from Freeport, Texas.

⁵¹ Elizabeth Silverthorne, *Plantation Life In Texas* (College Station: Texas A&M University Press, 1986).

sugar, and particularly, cotton that made Texas a global trading power. Using Brazoria, Fort Bend, Galveston, Harris, Liberty (which shares a northeast border with Harris County), and Montgomery (which shares a northwestern border with Harris County) counties, about 1,000 slaves were present by the emergence of the republic in 1836. By annexation in 1845, the population had risen to 7,500; by the coming of the Civil War, the population of slaves would reach 15,500.⁵² Three years into the Republic of Texas, barely 1,000 bales passed through Harris County; by annexation, 14,000 bales of cotton floated down Buffalo Bayou, a major but shallow tributary that runs through Harris County; by the mid-1850s, the number of bales transported rose to almost 40,000; and by the Civil War, Texans produced 50,000 bales.⁵³

Under the Texas Constitution, the president could only serve a two-year term and could not hold the office for consecutive terms. Therefore, in December 1838, Houston's presidency ended, and the two men he desired to take his place, Peter Grayson and James Collinsworth, bizarrely both committed suicide.⁵⁴ These events led to a unanimous vote for the one person Houston did not want to replace him, his vice-president, Mirabeau B. Lamar. These two men's vision of Texas diverged quite drastically. Lamar was no friend of Native Americans and set about eradicating them

⁵² Campbell, *An Empire for Slavery*, 256-257.

⁵³ David McComb, *Houston: The Bayou City* (Austin: University of Texas, 1982), 29. Many plantation owners shipped their cotton either on the Brazos River or Buffalo Bayou. Both waterways flow into the Gulf of Mexico. Buffalo Bayou, unlike the Brazos River, was shallow at different times of the year, causing ships to run aground. These occurrences caused deadlocks that occurred for weeks and months. Galveston emerged as the significant port city and challenged New Orleans' hegemony as the most successful southern port city. During the Civil War, however, Houston emerged as the designated port of choice. Most figures concerning the amount of cotton entering into the port city was estimated. County records on cotton yields are incomplete as every county did not always report what they produced. There could be variations in yield due to a poor season, climate (lack of or too much rain), and later the boll weevil.

⁵⁴ Peter W. Grayson and James Collinsworth, both, ran for President for the Republic of Texas and had the support of Sam Houston. Unfortunately, they committed suicide. Grayson died first, then Collinsworth.

from Texas.⁵⁵ No more concessions or compromises occurred that had been typical under Houston's administration. Lamar also envisioned Texas remaining independent.⁵⁶ As England and France sought the assurance of the republic's ability and sincerity to remain independent, they welcomed the election and rhetoric of Lamar. This situation helped Henderson especially in France to gain diplomatic recognition in 1839, although this recognition was not ratified until February 1840.

Henderson, like many diplomats, traveled with a small legation and, as mentioned earlier, he left his legation in England while he traveled to France to secure diplomatic recognition and a loan. It was well-known stateside that Lamar invited James Hamilton, a former governor from South Carolina, to become a diplomat—a loan commissioner for Texas. All of these diplomats were slaveholders, had wealth derived from a slaveholding past, and were strong pro-slavery advocates. On the surface, Hamilton was an unusual choice for a diplomat or even to hold an office as he was not a citizen of Texas. Yet, Hamilton held connections to the elite Texas planter class in complex land deals.⁵⁷

Hamilton's interest in Texas began as early as 1836. During this period, Governor George McDuffie of South Carolina urged caution regarding men leaving the state to participate in the Texas Revolution and asked South Carolina state legislators

⁵⁵ Mark Carroll, *Homesteads Ungovernable: Families, Sex, Race, and the law in Frontier Texas, 1823-1860* (Austin: University of Texas Press, 2010), 33-34. Carroll points out that Lamar pursued a policy of "absolute expulsion" of Native Americans in the Republic. Lamar believed that it was against nature for whites and Native Americans to live together and that they needed to be separated. Lamar claimed that Native Americans were "separated by the strongest possible antipathies, by colour, by habits, by modes of thinking and, indeed, by all the causes which engender hatred, and render strife the inevitable consequence of juxtaposition."

⁵⁶ T.R. Fenrenbach, *A History of Texas and the Texans* (New York: De capo Press, 2000), 35.

⁵⁷ Robert Tinkler, *James Hamilton of South Carolina* (Baton Rouge: Louisiana State University Press, 2004), 170-206.

to remain neutral. The governor argued that if the United States annexed Texas, then surely Mexico would declare war with the United States. This declaration would then invite other foreign (European or abolitionist-leaning) countries to assist Mexico, with the end result being massive slave rebellions.⁵⁸ While the state house “bought” McDuffie’s argument, Hamilton, in the state senate, was prepared to solicit financial support for Texas. Hamilton argued that while South Carolinians could not actively intervene, they still could express support through financial means by giving or loaning money to the revolutionaries. His biographer, Robert Tinkler, aptly describes Hamilton as an armchair revolutionary.⁵⁹

When Houston appointed Henderson to England and France, the treasury held no money, meaning Henderson had to raise funds to keep the Republic solvent.⁶⁰ He went throughout the South giving speeches about “the cause” and Texas’ need for diplomatic recognition and loans to jumpstart its economy. Hamilton secured a \$15,000 loan for Henderson.⁶¹ As the Panic of 1837 hit, Hamilton began to suffer financial setbacks in South Carolina, and he sought, like many before him, a way to recoup his losses by investing in land in Texas. With eight other South Carolinians, including Barnard Bee and Mirabeau Lamar, Hamilton purchased 30,000 acres of land.⁶² While Hamilton’s personal fortunes declined, like men who saw Texas as a place to recover

⁵⁸ *Ibid.*, 171-173.

⁵⁹ *Ibid.*, 176.

⁶⁰ Llorena Friend, one of the biographers of Sam Houston, points out the Republic’s spiraling debt. Houston could not control it. The Republic had debts from the Revolution that included soldier’s pay (veterans and the standing army), foreign debt, private loans (merchants and private citizens).

⁶¹ Tinkler, *James Hamilton of South Carolina*, 178.

⁶² To purchase land in Texas, one had to be a citizen. Hamilton and his group, initially did not purchase land but script. Using Texas script allowed them to pay 50 cents an acre. See Tinkler, *James Hamilton of South Carolina*, 176.

their fortunes, he turned his sights to the republic. Before he arrived, he made himself known as a securer of loans.

When Lamar gained the presidency, the debt that had worried Houston had multiplied. The slowness of securing diplomatic recognition, commercial treaties, and loans opened Lamar to Hamilton's fast talk of his ability to secure money for the republic. To prove his abilities, Hamilton procured a loan for almost \$500,000 from the Bank of the United States in Philadelphia. Hamilton initially acted as quasi-ambassador for Texas, venturing to Europe seeking diplomatic recognition and loans. He first attempted to secure a \$5,000,000 loan from France, but the loan never materialized. With little choice, he next turned his attention to Great Britain.⁶³

Historian Stanley Siegel claims that Hamilton had to be clever with his approach as British public opinion had turned against the recognition of Texas on the issue of slavery. British opinion continued to change as many felt that Lord Palmerston had overreached his position by formally declaring recognition of Texas by Great Britain prior to parliamentary ratification. Some considered Palmerston's appointment of a chargé de affaires to Texas as illegal because appointments had to be approved by Her Majesty's government. Secondly, for a British diplomat to be sent to Texas was a *de facto* sign that England had recognized the republic. Significantly, the British parliament based any discussions on recognition on the stipulation that Texas allowed Britain to act as mediator between Texas and Mexico to resolve any issues and prevent re-ignition of

⁶³ Hamilton to MacGregor, June 23, 1840, *British Correspondence Concerning Texas*, 16-17. In this letter to Sir Evan John Murray MacGregor, Governor of the Windward Islands, Hamilton brags that he met with British merchants most eager to begin business with Texas merchant in Texas became angry as they could only purchase Texas cotton after reached the United States first, where they were forced to then pay a high tariff on the goods. With the treaty in place, the English merchants could purchase Texas cotton directly with low tariffs and no middlemen.

war between the two countries.⁶⁴ A year later, still no peace had been declared between Mexico and Texas, and the British, who had intervened in other countries like Greece and Belgium, did not want to be drawn into another conflict.⁶⁵ To counter these claims, Hamilton arranged, informally, “preferential trade concessions in ship timber from the Texas forest lands” and “stressed the danger of annexation on the part of the United States” as well as the need for the British government to act with all due haste.⁶⁶ Failing to secure the \$5,000,000 loan, he lowered his request and received \$2,000,000 from Great Britain.

Hamilton, unlike Henderson, brashly entered onto the diplomatic stage and found himself confronting other diplomats in his haste to achieve results. As an agent for the new country, he sought and gained diplomatic relations with Holland and Belgium. He also acquired British diplomatic recognition. In this role, Hamilton became a popular figure in Texas. He disliked Sam Houston, who he thought was pro-French, and became his adversary. Following extended travels through the new republic in 1841, British agent William Kennedy, wrote about the economic potential of Texas and pushed to get more British representatives to fan out along the eastern coast to facilitate trade.⁶⁷ He campaigned for a higher diplomatic position, but he ran afoul of the political regime

⁶⁴ This was a power move by Lord Palmerston. He wanted to send a low-level diplomat, a consul or the highest, *chargé de affaires*, to appease the Texans or to act in good faith. Palmerston was a seasoned diplomat and understood there were two sides of diplomacy with Texas—commercial (trade) and slavery. The trade side was too financially advantageous for him to dismiss Texas but he could not appease Parliament’s concern about slavery and the whispers they heard about the re-opening of the African slave trade. This was after Houston had signed laws against re-opening the African slave trade, but the British remained distrustful.

⁶⁵ See “Lord Palmerston’s Successful Diplomacy” *London Morning Herald*, October 4, 1841.

⁶⁶ Stanley Siegel, *A Political History of the Texas Republic, 1836-18* (Austin: University of Texas Press, 1956) 164-166. See “Lord Palmerston’s Successful Diplomacy” *London Morning Herald*, October 4, 1841, Siegel refers to this article in his book.

⁶⁷ William Kennedy, *Texas: The Rise, Progress, and Prospects of the Republic of Texas* (London: William Clovis and Sons, 1841), 1-20. Kennedy aimed to encourage British immigration.

in Texas. Kennedy initially praised Hamilton in his book, *Texas: The Rise, Progress, and Prospects of the Republic of Texas* (1841) and yet a year after publication, the two men were at odds. In a letter between Hamilton and Lord Aberdeen, Hamilton angrily reported that Kennedy betrayed him for personal over national benefit. He claimed that Kennedy hurt Hamilton's chances to secure a large land grant for himself. This slander colored public opinion against Kennedy diminishing his chances of holding a higher office in government. Hamilton insinuated to Aberdeen that Palmerston knew of Kennedy's selfish ambition and withheld any endorsements of Kennedy or his promotion to a higher position.⁶⁸ By the time the letter arrived, Aberdeen had already promoted Kennedy to British consul at Galveston.

Lamar, Henderson, and Hamilton's relationship came together under complex conditions but with a clear mission: to secure Texas as a slave-holding republic. If Lamar had his way, the westward expansion of Texas would continue to the Pacific Ocean. Slavery would exist from the Atlantic to the Pacific Ocean under the designated 36°30' line in the Missouri Compromise of 1820.

As Henderson, then his successor, Hamilton, tried to gain diplomatic recognition and loans from Great Britain, the country continued to place roadblocks in the way of the young republic. First, England sought reparations for the *Eliza Russell* and *Little Penn*. The next challenge called into question the African slave trade, the re-casting of slaves, and citizenship. At the beginning of the Texas Revolution, the British government had asked Texas for assistance in locating six British subjects who had been sold into slavery in 1835. Stephen F. Austin had to be aware of this situation as

⁶⁸ Hamilton to Aberdeen., March 25, 1842, in Ephraim Adams, ed., *The British Diplomatic Correspondence Concerning the Republic of Texas*, 60-63.

well as Henderson when he became Secretary of State. Yet, in the midst of creating a new nation and other pressing needs, finding these six slaves was likely a low priority.

Henderson, in silencing the issue of slavery in diplomatic discussions, knew it was difficult to explain the challenges of suppressing the African slave trade in the Gulf Coast region or distinguishing between legal slaves and African slaves once they reached land. This situation made the case of Taylor all the more peculiar. His international case begins with his describing the freedmen working for him by many terms—servants, subjects, chattel, personal possessions—that obfuscated their new status. In December 1835, Taylor, a British Barbadian, sent his six black servants to Texas as indentured servants.⁶⁹ However, according to English law, these servants were not indentured, and by the time they reached Texas, the Constitution would have considered them slaves. Under the British Slave Emancipation Act of 1833, they were free. To circumvent this law, Taylor not only changed their status, but he moved them out of Barbados. To make matters worse, he sold them.⁷⁰

The family members of the six servants pled their case to the British authorities, creating another diplomatic test for Texas. These free black British subjects were now American slaves and in a republic where the population of slaves had doubled and then tripled in short order. No historical references to Henderson's role in finding the six British subjects (five men and one woman) exist, and yet, this was an international case involving the Caribbean, the Republic of Texas, and England. Taylor was arrested and

⁶⁹ The use of indentured servants comes from John Taylor's understanding of Anglo-Texas "law" when Texas was a state in Mexico. Anglo-Texans to retain the slaves changed their status to indentured servants with 99-year terms. Please refer to chapter 1. He argues that he had no way of know what the current laws were as he was arriving at the end of the Texas Revolution.

⁷⁰ "Trial for Slave Dealing," *Court and Lady's Magazine* 18 (September 1840), 239-243.

charged with selling British subjects into slavery. He argued that when he sent the six blacks to Texas they were legally designated as indentured servants per Mexican law. He felt it was unreasonable for him to be expected to know that Texas would not only declare its independence, but also designate all indentured blacks legally slaves. He disputed that he sold them into slavery and claimed he simply sold the remaining time in their indenture contract.⁷¹ He wrote Mirabeau Lamar to clarify the actual laws concerning slavery and asked him to assist in his legal battle.⁷² This incident occurred at one of the lowest points of Lamar's presidency and the young republic's history. The republic's debt continued to increase, regardless of land sales, new tariffs increased on goods, and other ventures, making it difficult to repay Texas' loans, specifically to Great Britain. Without financial or diplomatic support from the British, Texas had little chance of creating a sustainable economic system.⁷³ Ironically, while this situation was about finding and freeing slaves, doing so was going to make it easier to enslave blacks.

This case garnered attention from as far away as New York City as it provided a glimpse into Texas' commitment to prohibit the African slave trade. With British recognition of the republic at stake, President Lamar responded to Lord John Russell, British Secretary of State for the Colonies, that indentured servants did not automatically become slaves and that Mr. Taylor's actions had broken the law.⁷⁴ In a letter to the British prosecutor, William Barron, Abner Lipscomb, Texas' Secretary of

⁷¹ "Selling Slaves," *Liberator*, December 4, 1840.

⁷² John Taylor to Mirabeau Lamar, July 28, 1840. George Garrison, ed. *Diplomatic Correspondence of the Republic of Texas*, *Annual Report of the American Historical Association for the Year 1908*, (Washington Dc: Government Printing Office, 1911), 3 vols., 3: 900-902.

⁷³ Herbert Gambrell, "Mirabeau Lamar," *TSHA*.

⁷⁴ Mirabeau Lamar to John Russell, October 12, 1840, George Garrison, ed., *Diplomatic Correspondence of the Republic of Texas*, *Annual Report of the American Historical Association for the Year of 1908* (Washington DC: Government Printing Office, 1911) 3 vols., 3: 911, 914. Also on www.texashistoryproject.com.

State in the Lamar administration, asserted that William Moore of Texas had an official notarized bill of sale between himself and John Taylor, thus giving him the right to keep the slaves in question.⁷⁵ When the black servants arrived in Texas, Moore kept two, William Gunsil and Edward Whittaker, and sold the female slave, April Sashly, to Judge William Hardin. Joseph Grugsby purchased the remaining three servants, Henry Small, Samuel Redman, and William Thomas.⁷⁶ Hardin and Grugsby were not unknown men, as they were part of the planter elite of which Henderson was a member. Both Hardin and Grugsby had signed the Constitution of the Republic of Texas and, at one point, were legislators.⁷⁷ Again, Henderson was familiar with these men and their plantations. Yet, it took five years for these men to be questioned and, later, deposed.⁷⁸

Both men faced what today would be a sort of grand jury. The judge was particularly concerned with the date, record, and location of purchase. Grugsby and Hardin had to prove that they had *not* illegally purchased African slaves. They began by disassociating themselves from Taylor. Hardin stated that he came across April and her husband wandering and offered them a place to stay. In accepting his offer, they signed over their freedom; however, this scenario seemed unlikely. While Hardin had property in both Jefferson (present-day Beaumont area) and Galveston Counties, April, unfamiliar with the area, could not have made it on foot to his Jefferson home, which

⁷⁵ Abner Lipscomb to William Barron, November 18, 1840, George Garrison, ed. *Diplomatic Correspondence*, vol. 3:911-914.

⁷⁶ John Taylor to Mirabeau Lamar, July 28, 1840, George Garrison, ed., *Diplomatic Correspondence*, vol. 3: 900-902.

⁷⁷ Texas House of Representatives, *Biographical Directory of the Texan Conventions and Congresses, 1832-1845* (Austin: Book Exchange, 1941).

⁷⁸ John Taylor to Mirabeau Lamar, July 28, 1840, George Garrison, ed., *Diplomatic Correspondence*, vol. 3: 900-902.

was far inland. Needless to say, it was illegal until 1842 for free blacks to live in Texas; therefore, April and her husband wandering around had to arouse suspicion.⁷⁹

By 1840, The Republic of Texas' government had recovered and returned five of the six British subjects to England. Unfortunately, April Sashly, who belonged to Judge Hardin, was the only British subject found, who did not to gain her freedom. Hardin proved that she willingly signed away her freedom. After traveling for days with no money or food and little assistance while longing to be with her husband, April probably did sign a form in an attempt to survive. Interestingly, no one questioned April's level of literacy or comprehension. The British government was helpless to fight against Hardin's claim, and he was unwilling to sell her.⁸⁰ April Sashly's case speaks of the vulnerability of slave women.⁸¹

The English court found John Taylor guilty of selling British subjects into slavery in Texas and sentenced him to 14 years in Australia, a penal colony. The British government thanked Texas for its assistance in the matter and suggested that the two countries could work together to suppress the African slave trade.⁸² This event would convince Lord Palmerston to grant Texas diplomatic recognition and a commercial treaty acknowledging a willingness to suppress the African slave trade.

As Secretary of State, J. Pinckney Henderson watched his two diplomats, William Wharton and Memucan Hunt, push for diplomatic recognition and loans, but were stymied by northern abolitionists. He used these valuable lessons when President

⁷⁹ "Trial of Mr. John Taylor," *The Colored American*, September 26, 1840.

⁸⁰ *Ibid.*

⁸¹ Deborah Gray White, *Ar'n't I A Woman: Female Slaves in the Plantation South* (New York: W.W. Norton and Co., 1999), 62-91.

⁸² "Trial of Mr. John Taylor," *The Colored American*, September 26, 1840.

Sam Houston appointed him Minister Plenipotentiary of Great Britain and France. He knew he had to silence any discussion of slavery, or Texas stood no chance in gaining recognition or securing any loans. To accomplish this, he focused all talks on the high yields of cotton being produced in Texas and their inability to sell them without first going through United States' ports. This tactic played well with merchants who opposed high tariffs and with officials who did not want to think about the labor behind the "high yields of cotton."

Henderson did not find success in England. His successor, General James Hamilton, would secure both diplomatic recognition and a commercial treaty. Yet, without Henderson's slow, methodical approach with Lord Palmerston, the brash fast-talking, over-promising Hamilton would have failed. Henderson knew when to back off and respect that Lord Palmerston had to make different political groups happy, and giving Texas diplomatic recognition was controversial.

The Chairman of the British and Foreign Anti-slavery Society, G.W. Alexander, appealed to the British people claiming that the Texas territory was filled with "pirates and robbers."⁸³ He claimed that British agents, in good faith, had tried to negotiate diplomatic ties with the new nation. However, Alexander contended that while Texas claimed to have suppressed the African slave trade, they had not. Giving Texas, a slave-holding republic, diplomatic recognition, would, he argued, be placing the new republic on equal standing with Great Britain, a country "who has millions devoted to its abolition [of slaves]."⁸⁴

⁸³ G.W. Alexander, "Texas Slavery," *The Freeman Journal*, September 28, 1839.

⁸⁴ *Ibid.*

Henderson found more success in France, where even he was surprised at how fast they were willing to meet to discuss issues concerning the Republic of Texas. He gained French recognition as well as a commercial treaty, but the ability to secure loans remained out of reach. However, with this success, Hamilton ventured to the Netherlands and encouraged Lamar to send low-level diplomats to other regions to seek countries willing to lend money. Henderson completed his mission in 1840.

The issue of slavery dogged Henderson's diplomatic footsteps in Great Britain and France. With no training in diplomacy, Henderson found himself on the global stage advocating for the recognition of Texas and securing loans. He tried to quiet discussion of the number of slaves entering Texas as he boasted of the increased production of cotton. But for all of his subterfuge, the issue of slavery kept Henderson from achieving the diplomatic prize of his tenure, British recognition of Texas.

CHAPTER 4

THE LAST ATTEMPT TO CLOSE THE WEST TO SLAVERY

Charles Elliot, the British Chargé d' Affaires and General Consul, unlike the Texan diplomats sent to England and Europe, was not naive. As the newly appointed charge de affaires to the Republic of Texas in 1842, his sole responsibility was to be the "eyes and ears" for Great Britain on the important issue of slavery and possible annexation by the United States. Yet, from the moment Elliot arrived, he inserted himself at the center of the ongoing slavery issue – the increasing number of slaves entering the Republic and the abolitionist desire to curb or stop the westward expansion of slavery.¹

Charles Elliot will be denounced and eventually recalled for traveling to Mexico and interfering with Texas' plans to secure annexation with the United States. On one of his many absences from Texas using the excuse of poor health, Elliot assured Anson Jones, the last president of Texas that he was going to Virginia to recuperate and meet with his British counterparts stationed in that area. Instead, he could not pass up the chance to meddle in relations between Mexico and Texas. Jones learned of Elliot's trip to Mexico when he read in a newspaper that a "man in a white hat" appeared in Veracruz. In anger, Anson exclaimed [when] "a man with a 'white hat' arrived in Mexico...[he] became notorious as such all over Christendom. [Elliot] in

¹ Charles Elliot was not the only British official committing to ending slavery and actively intervening in other nation's policies. Luis Martinez-Fernandez writes about George Canning Blackhouse, a British judge, in Cuba in 1850s. Most of the slave ships mentioned in my dissertation were captured by the British or United States navies upon leaving Havana. Luis Martinez-Fernandez, *Fighting Slavery in the Caribbean: The Life and Times of British Family in Nineteenth-Century Havana* (New York: Routledge, 1998), 7-27.

less than four weeks achieved an exploit of which history furnishes no parallel.”² On his return to Texas, Elliot found he had lost his Texas friends; they blamed him for validating Americans’ fear of Great Britain’s imperialistic design on Texas, thereby pushing annexation legislation through the United States Congress. With the loss of credibility within the Republic, Elliot asked and the British government granted his recall. This event signaled the end of diplomatic relations between Great Britain and the young country.³

As a seasoned diplomat with a long career serving in China and the Caribbean before his assignment to Texas, Elliot should have had no problem navigating the political landscape in this new Republic, and yet, he fumbled from the moment he arrived by misreading the intentions of President Sam Houston and how entrenched the institution of slavery was in the region. Historians, like William Freehling, ponder Elliot’s ineffectiveness and ultimately, his failure.⁴ The chapter questions the cost associated with Elliot’s failure.

Elliot’s failure marked a break in diplomatic relations between the two nations. Instead of desperation, as one would have expected of a young indebted nation, Texas acted the opposite posturing confidence that they had won or gained an

² From Hon. Charles Elliot—Endorsement, April 5, 1845, Anson Jones, *Memoranda and Official Correspondence Relating to the Republic of Texas, Its History and Annexation* (New York: D. Appleton and Company, 1859), 433. Jones commented at the end of some of the letters he received as Secretary of State and later President. His notations, under the subtitle “Endorsement,” reveal his thoughts concerning the matter at hand.

³ Elliot to Aberdeen, August 13, 1845, in Ephraim Adams, ed., *British Diplomatic Correspondence Concerning the Republic of Texas—1838-1846* (Austin: The Texas State Historical Association, 1917), 531-532. Elliot wrote: “I am near the theatre of those events [annexation] as I can be in the present state of affairs, without aggravating a mischievous spirit, and I am ready to return at any moment that my presence can be useful or prudent.”

⁴ William Freehling, *The Road to Disunion, Secessionists at Bay, 1775-1854* (New York and London: Oxford University Press, 1991), 380-403.

advantage over an established nation, and as a result, pushed harder for annexation. The chapter concludes the end of diplomatic relations with Elliot at the reins was a coup for Sam Houston and a victory for the westward expansion of slavery.

Charles Elliot entered the Foreign Service upon retirement from Her Majesty's Navy. Henry Temple, third Viscount Palmerston, head of the Foreign Office appointed Elliot, whom he had met in China, Chief Superintendent of Trade in 1841.⁵ Palmerston shaped British diplomatic history with his emphasis on aggressive intervention. He led Great Britain to the height of its global power.⁶ In 1830, he appointed Elliot to British Guiana to serve as Lord Protector of Slaves.⁷ This appointment, as well as the new growing interest in the abolitionist movement in England, influenced his stance against the African slave trade and the enslaving of blacks.

In 1834, Palmerston transferred Elliot to China and placed him in charge of trade relations. In three years, he was promoted to chief superintendent. When the Opium War broke out in 1840, Elliot mediated a peace agreement between the British and Chinese government. The treaty, however, failed to bring about peace.⁸ A Tory magazine, *Fraser's Magazine for Town and Country*, blamed Elliot for "fermenting a smuggling quarrel into a national war" and detailed Elliot's "labyrinth of torturous blunders, even to his final dismal [sic] post."⁹ Palmeston, as head of the Foreign

⁵ Susanna Hoe and Derek Roebuck, *The Taking of Hong Kong: Charles and Clara Elliot in China Waters* (Hong Kong: Hong Kong University Press, 2009), 37-48.

⁶ Rebecca Berens Matzke, *Deterrence Through Strength: British Naval Power and Foreign Policy under Pax Britannica* (Omaha: University of Nebraska, 2011), 11-37 and 105-155.

⁷ Hoe and Roebuck, *The Taking of Hong Kong*, 200-210.

⁸ *Ibid.*, 200-210.

⁹ Davis, "The Chinese and 'Our Great Plenipotentiary'," *Fraser's Magazine for Town and Country* 24, *Volume One*, November 1841, 619.

Office, had little choice but to recall Elliot and proceeded to question him upon his arrival home. British politicians claimed that Elliot misread the Chinese political climate thereby losing England, a valuable trade partner. Palmerston stressed all was not loss. While Palmerston did not place blame on Elliot, he did not return Elliot to the coveted position. Elliot languished in London for months before being appointed General Consul to the Republic of Texas in 1841 because he knew how to negotiate trade agreements and see potential in underdeveloped markets¹⁰.

Elliot's appointment stalled for a year as the British government underwent a change during which Palmerston was replaced by George Hamilton-Gordon, the Fourth Earl of Aberdeen.¹¹ At the beginning of his tenure, Aberdeen continued to pursue a treaty of recognition and commercial trade between Texas and Great Britain, while at the same time acting as mediator between Texas and Mexico.

Aberdeen's diplomatic relations reflected abolitionist concerns in British society. In leading the negotiations of the Webster-Ashburton Treaty (1842) between Great Britain and the United States to settle a northern boundary dispute between those two countries, he approved a provision to aggressively stop the African slave trade. This provision established the United States and British Navies as the policemen of the Atlantic Ocean and gave them *carte blanche* to board any ship suspected of transporting African slaves in 1808, hoping to impede African slaves from reaching the coast of North America. The treaty called for more efforts to suppress the African slave trade as

¹⁰ Palmerston to Elliot, August 4, 1841, Adams, ed., *British Diplomatic Correspondence Concerning the Republic of Texas*, 42-43.

¹¹ Hook to Palmerston, April 30, 1841, *Ibid.*, 30.

The facilities for carrying on the traffic and avoiding the vigilance of cruisers by the fraudulent use of flags, and other means, are so great and the temptations for pursuing it, while a market can be found for Slaves, so strong, as that the desired result may be long delayed, unless all markets be shut down against the purchase of African negroes, the Parties to this Treaty agree that they will unite in all becoming representations and remonstrances, with any all Powers within those dominions such markets are allowed to exist; and that they will urge upon all such Powers the propriety and duty of closing such markets effectually at once and forever.¹²

President John Tyler, however, remained adamant that only The United States' Navy search and board vessels with the American flag. This allowed slavers to simply switch the "national flags" to the United States to remain undetected in the vast Atlantic Ocean.¹³ While the Webster-Ashburton Treaty was an example of Aberdeen's attempt to extend Great Britain's abolitionist stance across the Atlantic, his willingness to disallow the British to forcibly board American ships created a space which slavers used to sail undetected on the long journey from Africa to the United States.

The strong, British interest in the Gulf Coast region stemmed from Mexico borrowing money from Britain and France to finance their revolution. The new

¹² Hunter Miller ed. "Webster-Ashburton Treaty," *Treaties and Other International Acts of the United States of America*, Vol. 4, Documents 80-121: 1836-1846 (Washington: Government Printing Office, 1934). The United States Secretary of State Daniel Webster and Great Britain's Privy Counselor, Alexander Baring, 1st Baron Ashburton wrote this treaty. As late as 1858, the United State Navy captured vessels illegally transporting slaves. One of the most notorious cases involved *The Wanderer*, a ship that forcibly transported 400 African slaves to the Georgia Coast. See Erik Calonius, *The Wanderer: The Last American Slave Ship and the Conspiracy that Set its Sails* (St. Martin's Press, 2006), 110-125.

¹³ W.E. Burghardt DuBois, *The Suppression of the African Slave Trade to the United States of America, 1638-1870, Vol. 1 - Harvard Historical Studies*, (New York: Longmans, Green, and Co.: 1896), 128. Tyler succeeded President William Henry Harrison, the first American president to die in office. He did not replace Harrison's cabinet, and found them quite hostile. Because Tyler was never a committed Whig, the entire cabinet quit, with the exception of Daniel Webster who was negotiating the Webster-Ashburton Treaty. Lacking support from any political party, Tyler could not push the treaty through a divided Congress. The compromise was that the United States would police only their ships. This compromise decidedly weakened the African Slave Embargo. Like *The Wanderer*, *The Clotilda* illegally and successfully transported 100 African slaves from Nigeria to Alabama. This speaks to the weakness of Webster-Ashburton Treaty. See Sylviane A. Diouf, *Dreams of Africa in Alabama: The Slave Ship Clotilda and the story of the Last Africans Brought to America* (New York: Oxford University Press, 2007), 72-90.

government lacked stability, which caused concern as it quickly became evident that it lacked the ability to repay the loans. To make matters worse, the French navy blockaded the northern Mexican ports until Mexico paid their loans. Some in the international community considered this a declaration of war. Great Britain stayed clear of the conflict until they realized that the blockade hurt British merchants operating in Mexico.¹⁴ In the mid-1830s, Great Britain sent Richard Pakenham as the Minister Plenipotentiary to Mexico.¹⁵ He became a shadow minister/consultant to the Mexican president as he negotiated a repayment plan.¹⁶

French and British navies were quite active in the Gulf Coast region and operated less than 100 miles from the United States border. Ephraim Adams, in *British Interests in Texas, 1836-1846*, depicts a complicated diplomatic scene in the Gulf Coast region beginning with Mexican Independence in 1824.¹⁷ He argues that Great Britain's involvement in the region was an issue of money/investment and not one of imperialism. Because of the deteriorating relationship with Mexico, Adams contends Great Britain became interested in Texas. Texas' desirable cotton trade caused problems for a nation that depended on imports for its cotton mills while at the same time promoting the abolition of slavery. The issue of slavery would later come to shape diplomacy between Texas and Great Britain.

Because J. T. Worley downplays the significance of commercial relationship

¹⁴ Ephraim D. Adams, *British Interests in Texas, 1838-1846* (Gloucester: Peter Smith, 1963), 20-22.

¹⁵ Minister Plenipotentiary is the equivalent of a present-day ambassador. A Consul-General and Chargé d'Affaires were usually a diplomat sent to a country where the country did not have an established legation or a secretary in a large legation. A nineteenth-century legation is equivalent to a modern-day embassy.

¹⁶ Adams, *British Interests in Texas*, 1-35.

¹⁷ *Ibid.*, 7.

between the two countries, in favor of the political and diplomatic ones, he moves up the timeline of British interest in Texas to as early as 1836, Texas' independence, instead of 1838 or 1840 when England appointed Charles Elliot, their first official envoy. Using this early periodization is unusual as many in Texas at that time assumed the United States would annex Texas and, as a result, did not seek European diplomatic ties. Yet, Worley hints with this early date that Great Britain lay waiting to make a move on this "unclaimed territory." England, then, would justify their actions based upon philanthropic (anti-slavery) actions, thereby protecting British investments and creating commercial ties (especially through use of all of the ports along the coast of Texas).¹⁸

Elliot's reputation as one that preferred mediation rather than aggressive action saved his career during this tumultuous period.¹⁹ Aberdeen commissioned Elliot to focus solely on assuring "the President [Sam Houston during his second term] of the continued interest which the British Government takes in the prosperity and independence of the State of Texas, and of their full determination to persevere in employing their endeavors...and to bring about an adjustment of the differences still existing between Mexico and Texas..."²⁰ Nevertheless, by the second year of his mission, Elliot found himself confronted with the issue of slavery. In a private letter to Aberdeen, he detailed a conversation with President Houston whom he assured that

¹⁸ J.T. Worley, "The Diplomatic Relationship Between Great Britain and the Republic of Texas," *The Quarterly of the Texas State Historical Association*, Vol. 9, (July, 1905), 1-40.

¹⁹ Palmerston, as a member of the Melbourne government, left office for five years until his party returned to power. Elliot, a man of more common means, likely could not have afforded long periods of unemployment between postings. He likely would have been anxious during the year he waited to see if the new government would honor his appointment.

²⁰Aberdeen to Elliot. May 18, 1843, Adams, ed., *British Diplomatic Correspondence Concerning The Republic of Texas*, 194-195.

"the subject of Slavery in Texas had never been mentioned to me in any dispatch from Her Majesty's Government, or by word of mouth."²¹ When Houston pushed back on the veracity of Elliot's statement, Elliot retorted that it was no secret "of the British Government and Nation upon the Subject of Slavery...they are well known to the whole World, and it was quite unnecessary to enter upon that topic."²² While Elliot could have ended the matter there, he told Houston that he found slavery in Texas "regrettable." It was Houston's ambivalent response that led Elliot to believe that the President was receptive to abolition or partial to anti-slavery sentiments.²³

The diplomatic relationship between Great Britain and Texas grew out of economic and political necessity. The connection between the two nations was complex diplomatically because the burgeoning commercial relationship was highly profitable and lucrative but faced challenges on social issues, specifically slavery and the slave trade. Elliot, as the British Chargé d' Affaires and Consul-General to Texas, had to navigate treacherous political waters. The fear of reopening the African slave trade and the increasing number of slaves entering the new republic altered Elliot's diplomatic approach, from creating goodwill between England and Texas to constructing schemes to decrease the chances of annexation of Texas by the United States. Outlining the actions that led to the recusal of Elliot, reveal the strong ties between slavery and diplomacy. As Adams aptly points out diplomatic relations between Great Britain and Texas was one of "pacification" and "promises with

²¹ Elliot to Aberdeen, June 8, 1843, *Ibid.*, 205-207.

²² *Ibid.*

²³ *Ibid.* Houston never expressed if he was for or against slavery to Elliot. He was "ambivalent" on the subject of slavery to most people and it is difficult to find any documentation in which he specifically states his position.

caveats.” For example, as mentioned in Chapter Three, Great Britain agreed to a diplomatic recognition and a stronger commercial treaty only if Texas signed a treaty prohibiting the African slave trade and giving the British navy permission to board their ships without warrants. In Texas history, Elliot’s role has been overshadowed by other British diplomats in Texas and Mexico, such as Richard Pakenham, William Kennedy, and Stephen Andrews.²⁴ Yet, it was Elliot’s recall that signaled not only the end of British-Texas relations, but also brought about the annexation of Texas to the United States, thereby permanently opening the Gulf Coast region to slavery.

Sending Charles Elliot to Texas signaled that Texas had garnered a place in the global community. Despite the odds, by the time of Elliot’s appointment, Texas had enjoyed its independence for five years. The Republic, still in need of friends, was not the desperate entity that had sent John Pinckney Henderson and James Hamilton to England. Now the Republic was one of the largest producers of cotton and was finally seeing some of its returns. The Republic that Elliot faced was more confident, forcing him to walk a fine line in encouraging the continuation of a productive cotton trade relationship while advocating for the gradual emancipation of slaves.

N. Dorian Maillard, a lawyer who had moved to Texas in the 1840s from England, warned British capitalists against investing in Texas in his book, *History of the*

²⁴ William Kennedy came to Texas as an immigrant and saw an opportunity to sell his services to the Texas governor as a “go-between.” However, he found a better deal working with the British. He was given the title British consul of Galveston. Stephen Andrews was an American abolitionist who sought Swedish, German, and British settlers on his land, in the hopes of keeping it slave-free. His mission caught the attention of British abolitionists in London, and Texans saw him as a threat in the midst. For more information about Pakenham, see Adams, *British Interests in Texas*, 1-35. For more information about Kennedy, see Worley, “The Diplomatic Relations of England the Republic of Texas,” 15-18. For more information on Andrews, see Charles Shively, “An Option for Freedom in Texas, 1840-44,” *Journal of Negro History*, Vol. 50, No. 2, (Apr. 1965), 77-96.

*Republic of Texas from the Discovery of the Country to the Present Times and the Cause of her Separation from the Republic of Mexico.*²⁵ First, land that the Texas government offered as collateral for loans did not belong to Texans but to Native Americans, who still occupied the land. Most of the land that Texas advertised for 15 shilling an acre, in fact, belonged to Native Americans. What would happen, he asked, if Texas defaulted? Secondly, he claimed that the initial infusion of British capital that helped to stimulate economic development had never been repaid. If Texans could not repay those initial loans, then how could they pay back future loans? In the face Mexico's government defaulting on British debt, Aberdeen was very wary of investing in another economically weak Gulf Coast county and facing a possible default. He wanted Elliot to prioritize the economic relationship in any diplomatic dealings with the new republic.²⁶

Maillard also contended that one of the only ways to earn a profitable return was through agriculture that depended on Negro labor. In Texas, Negro labor was slave labor. Granted Great Britain had abolished slavery in all its Caribbean territories in 1833, to invest in Texas was to turn back the clock on abolition. This act redefined the Gulf Coast region and most importantly, the relationship between Texas and Great Britain as well as Texas and the United States. Along with Mexico, these islands formed an anti-slavery wall, defended and protected by the British navy, who sought to

²⁵ N. Dorian Millard, *History of the Republic of Texas from the Discovery of the Country to the Present Times and the Cause of Her Separation from the Republic of Mexico* (London: Smith, Elder and Co., Cornhill, 1842), 192-194. Maillard moved to Richmond, Texas, around 1840, and opened a bar. Although he cautioned others against investing in Texas, he never returned to England. Texans panned this book and called it treasonous. Ashbel Smith, the Charge d' Affaires to Great Britain, claimed Millard's book had little to no effect on the relationship between the two countries.

²⁶ Aberdeen to Elliot, July 1, 1842, Adams, ed., *British Diplomatic Correspondence Concerning the Republic of Texas*, 78-79.

prevent the African slave trade. As a result, abolitionists believed that the prohibition of slavery throughout the Gulf Coast region seemed plausible and eminently achievable. Texas' independence and emergence as a new nation not only legalized slavery, it also pledged to protect the right to own slaves. This proslavery message resounded loudly and complicated Texas' plan to seek either annexation to the United States or British support.

One cannot understate the importance of cotton as the tie that bound the two countries together. Great Britain's textile mills had an insatiable need for cheaply produced cotton. The United States began enacting significant tariffs to protect its northern industrial states. British manufactures out produced American manufacturers, allowing them to sell their items cheaply. The Tariff of 1816 initiated a series of taxes on British manufactured goods. Southerners, like John C. Calhoun, thought these new tariffs favored northern industry over southern agriculture. Southerners, frustrated with the Tariff of 1828, the Tariff of Abominations, as they labeled it, issued a call for nullification.²⁷

A direct correlation, however, existed between the increase in the production of cotton and the swelling population of slaves. Using Texas county records, Randolph Campbell has argued that the population of slaves tripled after Texas gained its independence. Texans boasted of potentially great profits should its people turn to commercially produce cotton or sugar—both labor intensive crops—by slave labor. In

²⁷ William W. Freehling, *Prelude to Civil War: The Nullification Controversy in South Carolina, 1816-1836* (New York: Oxford University Press, 1965), 132-138 and "British and American Tariffs," *Niles' Weekly Register*, August 4, 1832. The author argued that British government instituted its own tariffs in 1828, which were as harsh as the Americans. This article provides a chart comparing the taxation of common goods and concludes there was little difference between the two country taxation policies.

1837, for example, Brazoria County had 900 slaves, but by 1850, that number had risen to 3,161. As a result, the domestic slave trade grew. This trend made British abolitionists and many government officials uneasy. They could gloss over the slaves that already existed in the state, but they could not condone the spread of slavery or the increase in the number of slaves.²⁸

Aberdeen wanted Elliot to observe but not inject himself into Texas' politics. The need for unbiased reports figured heavily in Aberdeen's instructions.²⁹ But carry-over policies from the Melbourne government effectively tied Aberdeen's hands. His predecessor had promised diplomatic recognition and trade policies in exchange for Texas signing an anti-African slave trade treaty. Elliot's certification papers included six copies of three ratified treaties between Texas and Great Britain mediated by Palmerston. Aberdeen delayed implementing these treaties for two years.³⁰ In the end, however, Texas gained a commercial treaty and loans in exchange for an agreement to suppress the African slave trade.³¹

While Aberdeen tied Elliot's hands, evidence suggests that, when the need arose, he would use Elliot as a sharpened tool. Even after Texas had proclaimed its independence, Mexico continued hostilities by ordering a blockade of all Texas ports,

²⁸ See R. J. M. Blackett, *Divided Hearts: Britain and the American Civil War* (Baton Rouge: Louisiana State University Press, 2001), 6-48. The centrality of cotton affected the British during the Civil War and exposed the contradictions between emancipating slaves and keeping the price of the production of cotton down.

²⁹ By this point, there were books, pamphlets, and anonymous reports stating how wonderful Texas was. There were few willing to write "unbiased" reports about Texas. In the case of Saligny, the French diplomat, Houston knew of his arrival and prepared for his visit. He feted him to ensure that he sent a good report to the French government. This was not uncommon. Houston waited for Elliot's arrival and usually had accommodations set up for diplomats, as housing was scarce.

³⁰ These treaties were a carryover from Palmerston and Aberdeen, first, they delayed their passage because Aberdeen was new to the office and then because of the issue of slavery.

³¹ Aberdeen to Elliot, July 1, 1842, Adams, *British Diplomatic Correspondence Concerning Texas*, 80-81.

particularly Matagorda, LaBaca, San Louis, Galveston, Brazoria, Harrisburg (Houston), Goliad, and Anahuac. Newspapers copied the proclamation to warn any American vessels of the consequent dangers of trade between the two countries.³² In retaliation, Texas initiated a naval blockade of northern Mexican ports, specifically Veracruz, Matamoros, and Tampico. Aberdeen advised Elliot to warn Texans that Great Britain viewed any such acts as impudent, extreme, and dangerous.³³ Aberdeen also encouraged Elliot to be stern, close to the point of threatening to defy the blockade, which prevented merchants from around the world from entering Mexican ports.³⁴ Elliot quickly realized that his was no simple fact-finding mission, and that external issues (i.e. Mexico, Texas blockade, increasing number of slaves) would impede his role as chargé d'affaires.

As a result to of the blockade, Elliot became entangled in Texas politics as he attempted to mediate stalled negotiations for the reimbursement of confiscated goods confiscated by the Texas Navy from the British merchant vessels *Eliza Russell* and the *Little Penn*.³⁵ In 1837, the Texas naval ship, *Brutus*, intercepted the *Eliza Russell* on its way from Liverpool to Mexico and confiscated its cargo.³⁶ The British claimed that the ship had sailed under a neutral flag, and that Texas was, therefore, in

³² "From Mexico," Reprinted in *The New Yorker*, April 15, 1937, 3:4, 62.

³³ Aberdeen to Elliot, July 1, 1842, Adams, *British Diplomatic Correspondence Concerning Texas*, 81-82.

³⁴ Aberdeen to Elliot: "I have to instruct you, under the supposition that the Blockade is an actual and effective one, and properly supported by an adequate Blockading force, as required by the Law of Nations, to make a temperate but energetic representation in the same sense directly to the Govt. of Texas, and to use your best endeavours to induce that Govt. to raise the Blockade without loss of time; representing to them the ill will which a continuance of it will excite in foreign Nations, and especially amongst the Merchants of the higher Commercial Powers, whose friendship it must be so greatly the interest of the Texian Govt. to conciliate in the infancy of their Country's [sic] independence." *Ibid.*, 82.

³⁵ Worley, "The Diplomatic Relations of England and the Republic of Texas," 5-8.

³⁶ See Jonathan W. Jordan, *Lone Star Navy: Texas, the fight for the Gulf of Mexico, and the Shaping of the American West* (Washington D.C.: Potomac Books, 2006), 96-97 and Jim Hill, *The Texas Navy: In Forgotten Battles and Shirtsleeve Diplomacy* (Chicago: University of Chicago Press, 1937), 86-87.

violation of neutrality laws.

Without an official British agent in Texas, the matter passed through many hands without any resolution. Richard Pakenham, the British Chargé d' Affaires to Mexico, and General James Hamilton, Texas' foreign affairs representative, sought to resolve the conflict.³⁷ Hamilton turned the matter over to James Treat, but he died.³⁸ With Treat's death, the affair of *Eliza Russell* and the *Little Penn* remained unresolved. Aberdeen requested that Elliot reopen discussion. In December of 1842, Elliot wrote to Aberdeen that he was finally making progress on gaining restitution for the two ships. For the *Eliza Russell*, President Houston assured Elliot that Texas would honor her claim. As for the *Little Penn*, unanswered questions remained concerning the owner's claims. Elliot wrote confidently of a quick conclusion.³⁹ Yet, another year passed, and in August 1843, Elliot wrote to the Republic of Texas' Secretary of State, Anson Jones, asking for immediate action.⁴⁰ The next month, Jones replied that he was finally "able to satisfy the claim for the 'Eliza Russell;' for although I knew the amount of indemnity allowed to have been large for the injury sustained by her capture and detention, still as Congress had once acknowledged the amount...it had been a long time in waiting."⁴¹ The republic

³⁷ James Hamilton and James Treat would arrive in Mexico as diplomats, and Pakenham treated them as such. But Hamilton's attitude or "way about him" made Pakenham wary, and he denied them any more meetings until they could provide him with proper credentials. Lamar's Vice-President, Burnet quickly sent letters of introduction and what powers they had in the name of Texas, which were quite considerable.

³⁸ Hamilton went on to Europe to secure money for Texas, and he was quite successful.

³⁹ Elliot to Aberdeen, December 14, 1842, Adams, *British Diplomatic Correspondence Concerning Texas*, 141-142.

⁴⁰ From Hon. Charles Elliot, August 17th, 1843, Jones, *Memoranda and Official Correspondence Relating to the Republic of Texas, its History and Annexation*, 246-247.

⁴¹ Anson Jones to Capt. Charles Elliot, British Minister, September 11, 1843., *Ibid.*, 250-251. In private correspondence between Elliot and Aberdeen in December 11, 1842, Elliot writes that Houston revealed the real reason that the *Eliza Russell* and *Little Penn* failed to be resolved. Houston quaintly promised "when the Govern[t sic] could lay its hand upon a few dollars," and Elliot claimed he had not witnessed money in the form of loans entering the country since he arrived. Adams, *British Diplomatic*

recognized the claim; nevertheless, they continued to withhold payment claiming an inability to pay. As for the *Little Penn*, no successful resolution was forthcoming.

Next, Aberdeen instructed Elliot to inform the Texas government that "Officers commanding the Blockading Vessels were not to interfere with the Vessels of the Royal Mail Steam Company employed by H.M. Govt., but to suffer those Vessells [sic] to continue to perform unmolested the Packet Service on the Mexican Coast..."⁴² Elliot secured the right for British vessels to enter both Texan and Mexican ports unmolested. Mirabeau Lamar, the current president of Texas, assured Captain Otway that its navy would not stop or search any ships carrying the British flag.⁴³ This allowed the British Navy entry into the Gulf of Mexico and the right to dock their armed ships in Galveston Bay, which sits across from the Port of New Orleans. One cannot understate this gesture of friendship between Texas and Great Britain.

Charles Elliot also found himself mixed up in the Mier Expedition. As part of the treaty recognizing Texas, Great Britain, became the mediator between Mexico and Texas. In December 1842, 500 men under General Somerville mutinied after he refused to lead them into Mexico to avenge the deaths of 30 Texans killed while trying to stop Mexican encroachment into Texas. They captured Laredo and continued further inland to Ciudad Mier. The Mexican army confronted the Texans at Ciudad Mier. Many Texans were killed and close to 200 were captured, but on their way to Matamoros, the majority of them escaped only to be recaptured a short time later.

Correspondence Concerning Texas, 137. It was these private conversations with President Houston that led Elliot to create close friendships instead of professional relationships.

⁴² Aberdeen to Elliot, July 16, 1842, Adams, *British Diplomatic Correspondence Concerning the Republic of Texas*, 90-91.

⁴³ Elliot to Aberdeen, August 14, 1842, *Ibid.*, 93-94.

Santa Anna, when he heard of this outrage, sentenced the rebels to death.⁴⁴ This incident became a global sensation: a young country continued taunting its disowned motherland. Many asked if these Texans were foolish or militarily savvy to attack Mexico within her own borders. International opinion varied based on time and place. One British newspaper, wondered why Englishmen had to assist these rebels at the cost of undermining their relations with Mexico.⁴⁵ Almost 30 years after the expedition, Texans continued to retell and embellish the story as an important tale of their search for independence.⁴⁶

To gain the freedom of the Texas prisoners, Sam Houston appealed to Great Britain for assistance. He promised, "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."⁴⁷ This point countered American claims that the British favored Mexico over Texas. One prisoner, Joseph McCutchan, claimed that General W. Thompson of the United States showed him a letter, which supposedly expressed a British hesitance to intervene on behalf of the rebels.⁴⁸ The document in question was one of introduction from Percy W. Doyle, the newly appointed Charge d'Affaires to Mexico, to his counterpart in Texas, Charles Elliot. With Texans invading Mexico, the Mexican government declared all people residing in Texas traitors. Most importantly, Doyle passed along

⁴⁴ For a fair account of this incident see, Sam Haynes, *Soldiers of Misfortune: The Somerville and Mier Expedition* (Austin: University of Texas Press, 1997). He integrates the Mexican point of view of the expedition that is missing in many of the accounts of the incident.

⁴⁵ "Foreign Intelligence," *The British and Foreign Anti-Slavery Reporter and Aborigines' Friend*, 4:4 (Feb. 1843), 32.

⁴⁶ "The Mier Expedition," *The Galveston Daily News*, (Sunday), December 8, 1878.

⁴⁷ Houston to Elliot, May 13, 1843, Adams, *British Diplomatic Correspondence*, 208.

⁴⁸ Joseph Nance, ed., *Mier Expedition Diary: A Texas Prisoner's Account by Joseph D. McCutchan* (Austin: University of Texas Press, 1978).

vital information that Mexico would no longer recognized as neutrals Englishmen residing or trading in Texas.⁴⁹ Once Doyle received the note that the rebels' actions were sanctioned by the Texas government, he began working with General Thompson to prevent further incursions.

As a result of the disclosure, Texans turned their anger on Charles Elliot and the British government. While prisoners like McCuthcan credited both men with saving the majority of the prisoners' lives, unfortunately, they could not prevent the execution of seventeen. They believed Elliot failed to provide Doyle with the letter that proved the rebels acted with permission from Texas. In failing to supply Doyle with the information, Britain, in effect had failed to prevent the executions although initially President Santa Anna had ordered the execution of all of the captured Texans. The method of selecting those to be executed was arbitrary. The army placed seventeen black beans in a jar full of white ones. If a blindfolded prisoner pulled a black one, then he lost his life. This random approach outraged Americans and Texans who expected their men to receive fair trials.

Sam Houston, interestingly, dismissed these accusations and apologized to Elliot. He claimed that the United States, in distancing itself after failing to annex Texas, hesitated to assist the young republic against Mexico in the Ciudad Mier Expedition for fear of making enemies or taking sides that is until the executions.⁵⁰ Houston blamed the United States for making "British influence and every ridiculous humbug which their crazed imaginations can start, are conjured up and marshalled in

⁴⁹ Doyle to Elliot, April 20, 1843, Adams, *British Diplomatic Correspondence*, 183.

⁵⁰ Houston to Elliot, May 13, 1843, *Ibid.*, 208.

fearful array for the purpose of alarming Texas, exciting disorder, producing disrespect..." to compel Texas "to look to the U. States as our only hope of political salvation."⁵¹ Houston praised Great Britain's steadfast approach to finding a peaceful solution to the dispute between Texas and Mexico.

While Texas claimed independence in 1836 and proceeded to seek diplomatic recognition from other nations, Mexico continued to claim that Texas was "contested territory" periodically sending small expedition into Texas. While these skirmishes were insignificant, they carried significant political, economic, and diplomatic weight. Houston came to realize this after the Ciudad Meir incident and as a result made a more audacious claim—he, now, "desired 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."⁵² Elliot had previously emphasized that the British did not take sides between Texas and Mexico and would continue to aid the young country's independence from both Mexico and encroachment from the United States.⁵³ However, because Elliot felt pressure from the mishandling of the Ciudad Meir incident, he failed to question Houston's sudden change of position on annexation and accepted Houston's demand that Elliot mute any talk of abolition.

⁵¹ Houston, "To Charles Elliot", May 13, 1843, Amelia W. Williams and Eugene Barker, editors, *The Writings Of Sam Houston 1813-1863*, Vol. I-VII (New York: Jenkins Publishing Company), 386.

⁵² Houston to Elliot, May 13, 1843 *Ibid.*, 388. This letter is in Houston's collections of writings as well as in the *British Correspondence Concerning the Republic of Texas*. The letter serves to highlight where Elliot's idea that Houston sought an independent Texas. During Houston's first term, he withdrew Texas' application for annexation. Lamar was anti-annexationist and tried to ensure Texas' sovereignty by stabilizing Texas' economy. Unlike Houston who sought to build Texas' economy by selling government land and promoting cotton, Lamar began printing "redbacks," [paper money] which caused high inflation and almost bankrupted the Republic. When Houston was re-elected for his second term, he found Texas worse off than when he left office in 1838. Texas debt had almost quadrupled. See Llorena Friend, *Sam Houston, The Great Designer* (Austin: University of Texas Press. 1969), 80-81.

⁵³ Charles Elliot, "Texas British Mediation," *Niles' National Register*, June 29th, 1844, 280.

Texans realized that their pro-slavery stance would be challenged and, in some dramatic sense, knew that they held the future of the institution of slavery in the Gulf Coast region in their hands. Great Britain in its diplomatic relationship with Texas never discarded its abolitionist agenda. Charles Elliot believed in the eventual demise of slavery in Texas but also knew the difficulties in creating a free society for all persons, regardless of race. He viewed abolition as a gradual process unlike his contemporaries, such as Lord Aberdeen, Secretary of the Foreign Affairs Office, who continued to apply pressure on Texans. The fight over slavery led to the growing divisions between the two countries. When the relationship between Lord Aberdeen and Ashbel Smith, Texas' Chargé d' Affaires to Great Britain, deteriorated over the issue of slavery, Elliot secretly plotted to close the West to slavery.

Elliot wrote welcoming Henry Addington, who temporarily replaced Lord Richard Pakenham in Mexico. In this letter, Elliot extolled the greatness of President Houston. Ephraim Adams questions how Elliot came to such a conclusion. Houston's character, contradictory at best, left much to be desired, and yet, Elliot chose him as a confidante. He claimed Houston "knows his own people thoroughly, and when He seems to be running with them, He is probably satisfied that opposition would only provoke their precipitate purposes."⁵⁴ In his one year in Texas, Elliot firmly sided with the young Republic over British-supported Mexico. In a rare moment of honesty, he argued if Texas were slave-free, Great Britain would have supported the young republic's

⁵⁴ Elliot to Addington, November 15, 1842, Adams, *British Diplomatic Correspondence Concerning Texas*, 125-130.

independence years earlier. Elliot could not separate diplomacy from slavery while Texans fought to keep the two separate.

In the same correspondence, Elliot revealed a peace plan. At its center was a slave-free Texas. With Texas prohibiting slaves, southern slave states would see the republic as a border between the United States and Mexico.⁵⁵ The westward expansion of slavery would therefore stop at Texas.

Texans, however, viewed slavery as essential to the development of its agricultural potential. One of the first acts of the new republic was the legalization of slavery and the promise of its perpetuity. The law reassured Texans that the new government would not impede slavery and accepted that the labor force would be slaves.⁵⁶ Great Britain, when it granted diplomatic recognition to Texas, acknowledged the number of slaves in the country; however, they underestimated how quickly the population of slaves would grow or the lengths to which Texans would go to protect the institution. For Elliot, it was the murkier side of the slave trade that caused alarm.

In 1843, William Kennedy, the British consul of Galveston, responded to Aberdeen's query concerning the African slave trade in Texas.⁵⁷ In 1835, Kennedy claimed that 180 slaves from Havana arrived on the "*Shanandoah*" in San Bernard,

⁵⁵ Elliot to Addington, November 15, 1842, *Ibid.*, 128. Elliot pontificates, "Slavery to be abolished, the entire abolition of political disabilities upon people of colour, *perfectly free trade* to be declared to be a fundamental principle; the right of voting to depend upon a knowledge of reading and writing, and a pretty high money contribution to the State, with the payment charge to be made in advance, Congress to have power to *lower* the rate from time to time according to the state of the public a land tax and otherwise, improvements upon the well established a failure and folly of a yearly elected Legislature and other liberality of the rhodomontade school."

⁵⁶ H.P.N. "Constitution of the Republic of Texas 1836," in the *Laws of Texas, 1822-1897*, Vol. I, 1079. (online: www.texashistory.unt.edu)

⁵⁷ During 1843-44, Charles Elliot spent a great deal of time in New Orleans and in Virginia healing from ailment he claimed came from the tropical heat. He kept in constant contact with President Sam Houston and then President Anson Jones. In his absence, Kennedy, a rabid abolitionist who worked in the busiest Texas port city, Galveston, sent report after report to Aberdeen about the illegal slave trade.

south of the Brazos River. The two captains, Munroe Edwards and Christopher Dart, estimated their value at \$3,500. Three years later the captains were still awaiting payment. They sued but the agent had fled the republic for the United States. Another slaver, *Harriet*, carried 40 slaves from Cuba to San Bernard. In 1836, an unnamed Cuban schooner landed 40 slaves in the Port of Velasco. When they attempted to disembark, the tax collector ordered them to leave. They moved further along the coast landing at Caney Creek. A Spanish vessel captained by Moro Coigly carried 200 slaves from Cuba up to the Sabine River, the boundary river between Texas and Louisiana. In 1837, Kennedy noted that two ships carrying 41 slaves from Cuba landed near the Brazos River.⁵⁸

The multitude of small ports dotting the eastern coast of Texas, hugging the coastline of the Gulf of Mexico, facilitated the clandestine operation of the African slave trade. William Kennedy's assessment provides insight into a trade that at once operated clandestinely and overtly. The Republic of Texas and Great Britain knew that the slave trade flourished along the coast. As a young country continuing to deal with hostilities with Mexico, Texas did not have the manpower to police its coastline. Ernest Obadele-Starks points to the Sabine River as a major entry point for Americans smuggling African slaves into the new republic.⁵⁹ Texans, in agreement with Kennedy's conclusion about the African slave trade, argued that the trade remained relatively insignificant because of the shortage of capital required to invest in the trafficking of slaves. It became easier for Texans to turn a blind eye to the

⁵⁸ "Return to A Dispatch Marked, Slave Trade No.1," November 20, 1843, Adams, *British Diplomatic Correspondence Concerning Texas*, 255-261.

⁵⁹ Ernest Obadele-Starks, *Freebooters and Smugglers: The Foreign Slave Trade in the United States after 1808* (Little Rock: The University of Arkansas Press, 2007).

transatlantic slave trade than to incur the cost necessary to curtail the trade. As far as Kennedy was concerned, it was the Cubans who were the main purveyors of the trade to Texas; he said nothing about the participation of Americans.

With slavery continuing to be a bone of contention between Great Britain and Texas, Charles Elliot turned his attention to the transatlantic slave trade. He wanted to change the policy concerning the treatment of slaves transported on captured vessels. British abolitionist, Thomas Fowell Buxton, used the Spanish ship *Vencedora* as an example of the continued evasion of the prohibition of the African slave trade. The British navy captured the *Vencedora* for illegally transporting slaves; the sailors initially asserted they were carrying passengers in 1836. They argued that if investors paid fees for slaves' journey, then they were passengers. The passengers' horrible traveling conditions left the court unconvinced. Next, they claimed that the slaves were cargo. The crew appeared before the commission but was found not guilty by the vote of the Spanish representatives. The sailors regained control of their vessel. Buxton claimed that the real crime was that innocent Negroes had been sold into slavery.⁶⁰ Elliot wanted the segment of the treaty that dealt with suppressing the African slave trade in Texas revised.

⁶⁰ Thomas Fowell Buxton, *The African Slave Trade and Its Remedy* (London: John Murray, Ablemarle-Street, 1840), 19-22. The *Vencedora* was notorious in its pursuit of profit. In 1836, the British captured the ship as it entered southeastern Brazil. It carried between 240-250 slaves. After the trial (the Mixed Commission), the slaves and ship were returned to the owner. The next year, the ship embarked and again were captured by the British. This time in Cuba and again the Mixed Commission found in favor of the owner. This time, in 1840, they carried a much smaller number of 20-26 slaves. In 1842, the *Vencedora* made it to Brazil without being accosted by the British navy. They carried 350 slaves and 325 disembarked. This voyage took almost eight months as the *Vencedora* went from port (Gabon) to port on the West African seacoast trying to fill up their ship. Again, the horror of the slave ship can never not be discussed. These ports were not hidden. In every single one, there was a consulate. The disconnect is easy to imagine but I argue that it was much closer and intimate. David Eltis, "Vencedora", *The Trans-Atlantic Slave Database*

Elliot worked with Anson Jones, the Republic of Texas' Secretary of State, to suppress the African slave trade. They built a strong working relationship. Jones acted independently of Sam Houston. As the tensions arose between Mexico and Texas, he had urged caution and restraint. Nevertheless when war broke out, he enlisted and remained a private, although he acted as judge and surgeon for his regiment. He later represented Brazoria County in Congress until he was appointed Secretary of State. In 1838, Sam Houston employed Jones to withdraw Texas' annexation proposal and placed him in charge of securing diplomatic recognition of Texas.⁶¹ Elliot met Jones when he arrived in Texas, and they began to work together to strengthen relationships between their two countries. Once Elliot realized the difficulties in bringing slavery to an end he shifted his focus to the African slave trade. With the help of Jones, he made symbolic attempts to suppress the illicit trade.

In 1844, Elliot applied to the Texas government, using Jones as an intermediary, to change the treatment of slaves when they were recovered from illegal slave ships. Instead of returning recaptured slaves to Africa, he recommended removal to Trinidad or Demerara.⁶² Once the slaves reached these British colonies, they became freemen. Elliot reasoned that it was cheaper to send slaves to the Caribbean or South America than to Africa. Many recaptured slaves never earned

⁶¹ *Anson Jones: The Last President of Texas* (Austin: University of Texas, 2010), and Jones, *Memoranda and Official Correspondence Relating to the Republic of Texas*. At the beginning of *Memoranda*, Jones provides a brief autobiography of his life.

⁶² Roseanne Adderley, *New Negroes from Africa: Slave Trade Abolition and Free African Settlement in Nineteenth Century Caribbean* (Bloomington: Indiana University Press, 2006), 23-92 and Sharla Fett, *Recaptured Africans: Surviving Slave Ships, Detention, and Dislocation in the Final Years of the Slave Trade* (Chapel Hill: University of North Carolina Press, 2017) digital, introduction. Fett aptly characterizes that many of these recaptured slaves were a combination of "saltwater" Africans forced to live in "alien" (foreign) ground. Although they lived among blacks, they retained their African-ness by staying in inclusive communities.

enough money to purchase their freedom and passage home. With Elliot's plan, at least slaves had a chance for freedom.⁶³ Elliot's was part of an established British plan to resettle "recaptives" from slavers taken off the coast of Brazil by the British navy. Some viewed this policy differently. Gerald Horne argues this was a policy based solely on self-interest. He notes that instead of recaptured slaves receiving freedom, they were forced into apprenticeships for eight to ten years, a system of slavery "practiced in the troika of the U.S., Brazil, and Cuba and a boost for their own colonies in the global competition to dominate key agricultural crops."⁶⁴ Anson Jones, however, secured approval for the change and called Elliot's plan advantageous.⁶⁵ By working together, Jones and Elliot were able to make incremental changes to the effort to suppress the transatlantic slave trade.

While Sam Houston made good faith efforts to gain British support, such as allowing free blacks to remain in the state in 1842, his choice to replace Henderson and Hamilton with Dr. Ashbel Smith indicated an unwillingness to make any new compromises. Smith's first appointment was as Surgeon-General of the Republic of Texas. In the proclamation, Houston not only detailed the duties Smith would perform as a physician, but he also ordered all officers, soldiers, and members of the army to follow Smith's orders. In return, Smith was to observe and follow orders and directions from his superiors as well as the President. Smith's appointment, in peacetime, relied

⁶³ Charles Elliot to Anson Jones, January 4, 1844, in George Garrison, ed., *Diplomatic Correspondence of the Republic of Texas*, Annual Report of the American Historical Association for the year 1908, 3:1147-1148 and documented in the Texas Slavery Project.

⁶⁴ Gerald Horne, *The Deepest South: The United States, Brazil, and the African Slave Trade* (New York: New York University Press, 2007) 72-75.

⁶⁵ Anson Jones to Charles Elliot, February 16, 1844, Garrison, *Diplomatic Correspondence of the Republic of Texas*, 1155 and documented in the Texas Slavery Project.

totally on the support of and the “pleasure of the President of the Republic of Texas.”⁶⁶

A life-long friendship developed between the two men. With Smith’s unwavering support, Houston found an ally who would help him get as close to achieving his greatest objective—annexation.

Smith was uncompromising as a diplomat. The new Minister Plenipotentiary to England and France entered the diplomatic world with more experience than his predecessors in 1842. He was particularly concerned about stalled negotiations. These failures to secure needed loans had a profound effect on Texas’ economy. When Houston’s term was over, Smith remained in his position. Instead of advising President Anson Jones, who was opposed to annexation, Smith continued to work with Sam Houston to push southern Congressmen to win the votes needed for annexation. Smith played on the fear of Texans and southerners by suggesting that if Texas continued to rely solely on Britain for loans she would be expected to curtail the increasing number of slaves in the country and adopt a gradual emancipation policy.

Smith was shocked to discover Charles Elliott’s position on the abolition of slavery. In 1843, Lord Aberdeen informed Smith that Great Britain was committed to employing all legitimate means to end slavery in Texas. British abolitionists proposed three possible emancipation plans. The first course was to provide a loan to purchase slaves and emancipate them on the condition that Texans would no longer introduce

⁶⁶ Proclamation of Sam Houston—Introducing Smith as Surgeon-General, June 5, 1837 and Proclamation from the State of North Carolina—Installation of Ashbel Smith as Surgeon General for 65th Regiment, August 26, 1835, Ashbel Smith Papers, Center for American History, University of Texas, Austin, Texas. This was not a new position for Smith. The governor of North Carolina appointed Smith on August 26, 1835 as surgeon-general to the 65th Regiment of the North Carolina militia. The Filed Officer of Rowan County recommended him, and after the governor reviewed his qualifications, he invested him with the authority and command belonging to his position. Dr. Smith was to perform his duties prescribed by law.

new slaves to the country. The second consisted of buying large quantities of land, through loans, as a refuge for fugitive slaves. The third plan promoted mass emigration of Europeans into Texas. Smith was shocked that plans once considered too expensive and outlandish had now gained relevance. He posited that the real reason for Britain's about face with Texas was due to economic problems. Texas had failed to repay its loans to Britain in a timely fashion, leaving them little diplomatic leverage. Great Britain, acting as mediator between Texas and Mexico, informed Smith that peace could be achieved if Texas emancipated their slaves. Daniel O'Connell, a leading Irish abolitionist, called for a free state for free persons of color to be located between northern Mexico and south Texas.⁶⁷

Smith also questioned Britain's latest antislavery proposal. He disputed Britain's claim of antislavery goals in Texas as simply a way to end the competition between slave and free labor produced cotton. "[T]he abolition of slavery in Texas by itself considered," he observed, "is not regarded in England as of any great importance, but it is ardently desired as a 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."⁶⁸ Texas' strongest political support came from southerners. Smith saw Britain trying to align Texas with the people who stood against the one thing Texans had fought for since Anglo-American colonization—slavery. He wrote angrily to Houston of the insincerity of British diplomats. The threat to abolish slavery in the Gulf Coast region was not only clear and present but real. Slavery, for the first time, threatened to

⁶⁷ Ashbel Smith to Anson Jones, July 2, 1843, Garrison, *Diplomatic Correspondence*, vol. 3: 1099-1103.

⁶⁸ Ashbel Smith to Anson Jones, July 2, 1843, *Ibid.*, 1102.

destroy diplomatic relations between the two nations.

Anson Jones, assured Smith that he no longer had to scout more loans as Texas' finances had finally improved. Jones emphasized that emancipation would never be entertained. He praised Elliot for helping maintain peace between Mexico and Texas, regardless of his views on slavery. Jones asked Smith to speak to Lord Aberdeen about keeping Elliot on as British minister to Texas. With annexation, however, Elliot would be recalled.⁶⁹

Another confrontation over slavery and the transatlantic slave trade occurred between Lord Aberdeen and Ashbel Smith. When Smith first arrived in England in 1842, he accused Lord Aberdeen, of being "ungracious" in matters concerning Mexico and slavery and favoring Mexico over Texas. Both Texas and Mexico markets were undeveloped, and Great Britain stood to make substantial profits from the sale of their manufactured goods in either market. Mexico edged Texas out in desirability because it was morally in line with England on the issue of slavery. Smith promised to work to change the mind of the British aware of their importance in building up the new republic.⁷⁰ A year later, Lord Aberdeen informed Smith that Great Britain remained committed to employing all legitimate means to end slavery in Texas and invited him to an Anti-slavery Convention, where he was to give a speech. At the meeting, Smith heard abolitionists describe Texas "as the hiding place of dishonesty, as the refuge of unprincipled villains, swindlers, and criminals escaped from the hands of justice in

⁶⁹ Anson Jones to Ashbel Smith, September 30, 1843, *Ibid.*, 1140-1142.

⁷⁰ From Hon. Ashbel Smith, June 8, 1842, in Anson Jones, *Memoranda and Official Correspondence Relating to the Republic of Texas, its History and Annexation* (New York: D. Appleton and Company, 1859), 182-184.

other countries, and that to this general character our population presented only occasional or exceptions.⁷¹ Disheartened, he noted his failure to articulate the value of slave labor to Texas' economy. He puzzled over the British government's willingness to lessen Texas' ability to prosper by demanding the abolition of slavery when it would hurt Texas' capability to produce inexpensive commercial crops and repay its loans. Although this was not the first time abolitionists threw around these accusations, their influence now held more sway with the British public.⁷²

From Aberdeen's speech, Smith jotted down two plans that British abolitionists conceived to emancipate slaves in Texas. British abolitionists proposed, first, to set up a loan to purchase and emancipate slaves in Texas. This plan was not a new policy as the British employed it to free slaves in the British Caribbean. It declared all slaves in the British colonies, with the exception of Ceylon and Saint Helena, free on August 1, 1834.⁷³ Freed slaves, six years and older, were designated by level of skill and entered into compulsory apprenticeships. Most apprenticeships were to last until 1840. This plan ensured stability in the production of goods during the conversion from slave to free labor. Lastly, the law allotted 20,000,000 pounds, raised in annuities and fundraising, to compensate British owners for loss of property in the Caribbean. British abolitionists pledged the necessary funds to purchase slaves from Texas and to establish the same apprenticeship program. Again, they underestimated how entrenched the institution of slavery was in Texas and the resistance to abolition

⁷¹ Ashbel Smith to Anson Jones, July 2, 1843, Garrison, *Diplomatic Correspondence*, vol. 3: 1099-1103.

⁷² From Hon. Ashbel Smith, August 2, 1843, Jones, *Memoranda and Official Correspondence Relating to the Republic of Texas*, 236-237.

⁷³ See "Slave Emancipation Act," www.nationalarchives.gov.uk and www.statutelaw.gov.uk and for discussion about the emancipation of slaves, see Eric Williams, *Capitalism and Slavery* (The University of North Carolina Press, reprint 1994). Ceylon and Saint Helena belonged to the East India Company.

among Texans. The second strategy, as we have seen, consisted of purchasing large quantities of land as a refuge for fugitive slaves.

These plans, once considered too expensive and outlandish, shocked Smith as they gained traction at this convention. "I cannot speak in terms of commendation of the parties...They are chiefly violent abolitionists." Smith wrote Jones, "It has become most obvious to me that they do not entertain friendly feelings towards Texas, but quite opposite; that they are animated by motives of sordid and Jesuitical fanaticism, and unscrupulous in the means they employ to accomplish their purposes."⁷⁴ While Smith blamed failing talks on the issue of slavery, he conceded to Houston that Texas ability to influence development was diminished by its failure to repay its loans to Britain.

Lastly, Smith questioned the motives driving these antislavery measures. Behind these antislavery goals was a sinister plan to stop competition between slave and free labor producing cotton. Smith chose to blindly ignore the hardened stance of British abolitionists and color abolitionists' intentions in a commercial construct. His responses reminded his colleagues that the foundational relationship between the two countries was commercial and specifically involved the trade of cotton. Aberdeen, however, continued to emphasize the importance of abolishing slavery. Emancipation, he claimed, would pave the way for improved relations between the two countries.

In 1845, Charles Elliot found himself in a political quagmire. During his time in Texas, he continually reported to Lord Aberdeen and the British Parliament that Texas

⁷⁴ From Hon. Ashbel Smith, August 2, 1843, Jones, *Memoranda and Correspondence Relating to the Republic of Texas*, 236-237.

desired to remain an independent republic. He boasted of his friendship with Anson Jones, and of the President's anti-annexation stance.⁷⁵ He was caught unprepared, therefore, when annexation came; it was, he told Aberdeen, the result of the United States' plans to encourage the westward expansion of slavery.⁷⁶

Regardless of this political wrangling, Texans had always considered themselves Americans. Annexation, they knew, depended on paying down its debt and negotiating a peace treaty with Mexico. Elliot helped to find a solution to both issues. As mentioned earlier, Great Britain had loaned the new republic money and encouraged British capitalists to invest in Texas. The matter with Mexico proved more challenging. Initially, Elliot had left the mediation between the two countries to Sir Richard Pakenham, British plenipotentiary to Mexico. Pakenham's subsequent transfer from Mexico to the United States transformed Elliot's role from that of passive observer to arbitrator.

Beginning in 1844, Elliot suggested an armistice between Mexico and Texas. In the peace talks, he convinced Mexico that Texas would act as a buffer against the United States. In that vein, Mexico offered to recognize Texas only if it remained independent of the United States. Anson Jones, hoping for greater concessions, rejected the offer and dispatched Sam Houston to work with Elliot on the peace talks.⁷⁷ Houston, in no mood to compromise with Mexico, had secretly recommitted

⁷⁵ Elliot to Aberdeen, February 17, 1844, Adams, *British Diplomatic Correspondence Concerning Texas*, 299-300. Elliot insisted "the President is steadily determined to sustain the durable independence of the Country."

⁷⁶ Elliot to Aberdeen, July 28, 1845, Adams, *British Correspondence Concerning Texas*, 451. Fear of the westward spread of slavery consumed Elliot on the eve of the annexation of Texas.

⁷⁷ Self to Capt. Charles Elliot, March 18, 1844, Jones, *Memoranda and Correspondence Relating to the Republic of Texas*, 327-328.

himself to annexation. To conceal where his loyalties lay, he grandiosely stated to the United States Congress:

If annexation is not effected at the present session of [United States] Congress, or if the treaty should fail, and the action of Congress be ineffectual, and they refuse to form an alliance with us, to call upon the English and French ministers, and ascertain the prospect of those Governments giving us a guarantee against further molestation from Mexico, an indefinite truce.⁷⁸

The language which Houston employed seemingly supported Elliot's preconceived belief that if Congress rejected Texas' application for annexation, then no further applications would be forthcoming. Jones knew immediately that something about Houston's statement did not ring true and tried to warn Elliot. When Elliot did realize he had been duped, it was too late. Jones concluded that "It is mournful and distressing to me to think so good a man [Elliot] should have been so badly used. I have the satisfaction, however, to know, from Capt. Elliot's own lips, that he attached no blame to me."⁷⁹

Elliot, with Ashbel Smith, Texas' Secretary of State during Jones' presidency, failed to secure a peace treaty between Texas and Mexico. The contrivances behind the treaty destroyed Elliot's diplomat standing in the Republic. Smith who knew that Texas had no intention of remaining independent found himself defending his presence in Mexico. Both men argued that the treaty would have settle ongoing boundary disputes by creating a commission. It also accepted the annexation of Texas after the Republic announced its intention to Great Britain and France. This

⁷⁸ From Gen. Sam Houston, April 14, 1844, *Ibid.*, 340-341.

⁷⁹ From Hon. Charles Elliot—Endorsement, March 22, 1844, *Ibid.*, 329-330.

signaled to Smith and Elliot that for the first time in almost 10 years, hostility had ended between Texas and Mexico. Jones was jubilant extolling high praise for the man with a "white hat."⁸⁰

The distinctive hat, which Elliot wore constantly, became synonymous with the man in Texas. Elliot and Jones had formed a strong friendship so much so that Elliot felt comfortable pursuing actions in the name of the President. However, Texas was a republic and Jones was not a king with the power to act unilaterally. When Jones first heard of peace with Mexico, he was excited as he hoped this peace would end all talk of annexation. Because the deal for annexation was nearly completed Texans saw the peace agreement with Mexico as an act of betrayal. To save face during his last days as President, Jones left Elliot to deal with a peace agreement that Texas claimed they did not negotiate nor would they honor.⁸¹

Less than six months later, Elliot left Texas as pro-statehood advocates placed him center stage in the contentious debate over annexation. His "perceived" reticence to support Texans during the disputes over the Meir Expedition had soured relations between the two countries. In another instance, General Duff Green, an American agent employed to negotiate trade agreements between the United States and Great Britain, accused the British of trying to influence the American government against annexation. He claimed that he expected "to encounter the combined influence of the British Minister [Charles Elliot], and the President of Texas [Anson Jones who strongly supported the sovereignty of his nation] acting in concert for the purpose of defeating

⁸⁰ "Treaty of Peace and Independence with Texas," June 4, 1845, *Ibid.*, 473-476.

⁸¹ *Ibid.*

the wishes of a majority of the people of Texas and the United States.”⁸² Elliot seemed taken aback by these attacks. Yet, one could not dismiss Green's allegation that Elliot and Jones were colluding against the prospect of statehood.

Jones, fighting for his political life, switched from his anti-annexation stance to supporting statehood, leaving Elliot dangling. He sent Ashbel Smith to France and Great Britain to inform them of Texas' true intentions towards annexation while keeping Elliot and De Saligny, French Minister to Texas, in the dark. He wanted Smith to encourage the two men, “who hoped against almost a certainty that annexation will not be as acceptable as independence to our people, and that it will by that means fail.”⁸³ Elliot understood the literal meaning of independence but failed to understand the way Jones employed it. Annexation for Texans did not mean a loss of freedom but promised a greater sense of liberty. Failing to grasp the hidden meanings in his dealings with Houston, Elliot continued to write to Lord Aberdeen of Texas' commitment to remain a sovereign nation.

As public opinion turned against the British, Charles Elliot left Galveston for New Orleans in 1845. By the time Elliot realized that Jones had switched sides, Texas was firmly committed to annexation and in talks with the United States. The relationship that Elliot cultivated between the two nations disappeared overnight. He continued to reiterate his goals as General Consul of Texas—primarily securing trade relations between Great Britain and Texas and mediating a peace agreement between

⁸² From Hon. Charles Elliot, January 14, 1865, Jones, *Memoranda and Correspondence Relating to the Republic of Texas*, 413-414. For more about Duff Green, see William Freehling, *The Road to Disunion: Secessionists At Bay, 1776-1854* (New York: Oxford University Press, 1990), 385-387.

⁸³ From Hon. Ashbel Smith, April 9, 1845, Anson Jones, *Memoranda and Correspondence Relating to the Republic of Texas*, 446-449.

Texas and Mexico. On those two fronts, he found success, but he underestimated Texans' desire to maintain the institution of slavery and to join the Union. He blamed the United States press for "that kind of unscrupulous attack and misrepresentation to which persons are liable in the discharge of their public obligations, and in this particular case is no more than the natural consequence of a faithful attempt to perform my duty to my country..."⁸⁴ Texans, one step closer to annexation, used these stories about the British's nefarious colonizing designs to push the United States to admit Texas as a state. On July 4, 1845, Texans voted in favor of annexation.

Elliot continued to defend his tenure after annexation. He wrote a blistering letter to Aberdeen, answering accusations made by a host of dissenting voices, including James Buchanan, United States Secretary of State in President James Polk's administration.⁸⁵ Buchanan alleged Elliot disappeared quite conspicuously during the height of the annexation talks. Elliot claimed that he had to keep his location hidden when he negotiated the treaty between Mexico and Texas to prevent people with dissimilar views from interfering with the process. He feared that the United States was attempting to incite a war between Texas and Mexico.⁸⁶ Americans would view any attack on Texas as an attack on American citizens and an act of war. While the United States may not have been unaware, Anson Jones, if not the government of Texas, knew the true purpose of Elliot's departure and sanctioned his actions of achieving a peace treaty with Mexico. Jones and those who supported annexation commended Elliot's actions while stressing that an armistice with Mexico

⁸⁴ Elliot to Aberdeen, July 28 1845, Adams, *British Correspondence Concerning Texas*, 518-521.

⁸⁵ Elliot to Aberdeen, January 8, 1846, *Ibid.*, 576-581.

⁸⁶ See From the Secretary of State--Endorsement, July 24, 1845, and From Hon. Eben. Allen, June 5, 1845, *Ibid.*, 276 and 466-468.

was too late to stop the wheels of statehood.⁸⁷ Next, Elliot declared that many Texans, such as Jones, who opposed annexation were worn down by the supporters of statehood and realized that the cost of opposition was ostracism. Elliot intimated that while others failed to stand for what they believed, he had stayed the course.⁸⁸ Lastly, he professed that he was a victim of proslavery opponents. He maintained that everyone knew about his abolitionist tendencies and only used his ideology against him when he attempted to hinder the admittance of Texas as a state. Elliot fought against the allegations, but public opinion condemned him.

During his last months he appealed to Lord Aberdeen to recall him:

Wrongful motives and intrigue have been imputed to the Governments of Great Britain and France and their Agent... There was a profession of such motives and conduct in these affairs, but the whole world knows from when it came, and in that strife of personal rivalry and unscrupulous over reaching which gave a form and substance to what originally was no more than the desperate conception of a feeble and expiring administration....⁸⁹

He believed that he did the best he could under such prejudicial circumstances. With the approval of annexation, Elliot returned to his first job's responsibility, maintaining a strong trade relationship between his country and Texas. Great Britain secretly wished that Texas would continue to allow its navy access to the Gulf of Mexico and

⁸⁷ See From Hon. Charles Elliot, April 21, 1845, Jones, *Memoranda and Correspondence Relating to the Republic Of Texas*, 452-453. Elliot wrote Jones of his success in attaining a peace agreement between Texas and Mexico. Jones acknowledged Elliot's commendable work and the lack of assistance Elliot received from General Houston.

⁸⁸ See Elliot to Aberdeen, January 8, 1846, Adams, *British Diplomatic Correspondence Concerning Texas*, 576-581. Elliot claimed, "some of the persons for example in high office today are supposed to have been sincerely opposed to the Annexation of Texas, but they nevertheless, in the phraseology of the Country, went in freely for it, as soon as it was clamoured [sic] up to be popular, for the sake of what must rather be called tripping up—than defeating, not merely their political opponents, but their avowed friends and leaders, and by the time there are persons of note in the Legislature, of the same party as themselves, striving as hard to outbid and out maneuver them."

⁸⁹ Elliot to Aberdeen, January 8, 1836, *Ibid.*, 579.

the ability to police the area. With annexation, the United States became responsible for Texas and the Gulf of Mexico. It sent the American Army, under the command of General Zachary Taylor, to the area between the Rio Grande and the Nueces Rivers, which was under dispute to deal with hostilities.⁹⁰ In February 1846, in his final act as president, Anson Jones dissolved the Republic of Texas' government. In less than three months, Elliot was recalled.⁹¹ Elliot had acted as an intermediary observer and later as an interventionist. By the end of his tenure, the issues of slavery and annexation had aggravated relations between Great Britain and Texas.

Both Great Britain and its representative misjudged how entrenched slavery was in Texas. A news reporter for *The National Era* outlined the events leading up to Texas' statehood. By 1837, Senator John C. Calhoun had pushed annexation as a way to keep Britain off the North American continent. He asserted that the American delegation at the World Anti-Slavery Convention held in 1843 "suggested to the Abolitionist of England that now was the time to act. If they wished to aim a fatal blow at slavery, it must be at Texas; and in order to do that, England must obtain the ascendancy in Texas."⁹² Calhoun sent a messenger to deliver this information to the United States' Secretary of State, but the government remained skeptical. The journalist rejected claims that Britain planned to colonize Texas or was trying to abolish slavery there. Britain was trying to stop the westward spread of slavery. He contended that some, such as Calhoun, exploited the idea of abolishing slavery to play on the fears of the slaveholding South.

⁹⁰ Elliot to Aberdeen, March 14, 1846, *Ibid.*, 608.

⁹¹ Aberdeen To Elliot, April 19, 1846, *Ibid.*, 612.

⁹² "Political History," *The National Era*, Washington, D.C. September 2, 1847.

Elliot attempted to confront such accusations but once these allegations were voiced, it became difficult to quiet them. Elliot's disappearance during the height of annexation negotiations lent credence to such views. Elliot, continued to assure the government of Texas of his country's goodwill. The issue of slavery, nonetheless, challenged relations between the two countries. Elliot was an abolitionist in a country that relied on slave labor to sustain its economy, and his anti-slavery views, not surprisingly, colored his approach to the issue of slavery. Instead of pressing for immediate abolition, he advocated, first, limiting its spread to be followed by gradual emancipation. Next, he turned his attention to the transatlantic slave trade. Texans used the threat of re-opening the transatlantic slave trade as a concession in diplomatic negotiations with Great Britain and the United States. Elliot was able to secure the freedom of recaptured slaves by ensuring that they were sent to British Caribbean colonies, instead of remaining in countries in which slavery existed. The issue of slavery factored heavily in diplomatic negotiations between the two countries.

While annexation severed the diplomatic ties between Texas and Great Britain, commercial relations remained strong. The need for a cheap supply of cotton shaped British diplomacy towards Texas and the American South. When the American South seceded from the Union, it relied on Europe's and Great Britain's continuing need for the cotton they produced, believing this need would result in much needed financial as well as diplomatic support for the new nation. They were so confident they declared, "Cotton was King." Richard Blackett contends that the English weighed the pros and cons of supporting the Confederacy based upon their consumption of American

cotton.⁹³ After the annexation of Texas, Britain no longer policed the coast of Texas and the Gulf of Mexico. The United States sent their own military to protect Texas' border and port cities. Great Britain changed from being a partner with Texas to simply being a consumer of its goods. Not until secession and the Civil War did England regain its status as a significant diplomatic partner. The events that led to the recall of Charles Elliot reveal a complex diplomatic relationship between Great Britain and Texas, and the centrality of cotton and slavery to the that relationship.

⁹³ Blackett, *Divided Hearts*, 89-122.

CHAPTER 5

ANNEXATION AND WESTWARD EXPANSION OF SLAVERY

In January 1844, President Sam Houston used his presidential address to discuss Texas' continuing quest for annexation to the United States. After eight years as a Republic, and countless schemes, Texas had upheld its sovereign status through slave diplomacy. Slave diplomacy centers on not only the legal institution of slavery and its expansion, but more importantly, on the subjugation of a people based on race and the economy built upon their labor.¹ In seeking annexation, again, to the United States, Houston promised the Texas Congress to continue to add pressure on the United States Congress for a quick decision. With the rise of Manifest Destiny, the demand to open the West for Anglo-American settlement, Houston was convinced that Texas' application to the Union would succeed. Houston beseeched Congress to send additional emissaries to work with Isaac Van Zandt, the minister plenipotentiary to the United States. After eight long years, Texas was at the brink of annexation.²

This chapter focuses on the same critical period of annexation and slavery as the previous chapter, while delving into the United States and Republic of Texas relationship. At the end of his term as President of the Republic of Texas, Sam Houston

¹ See Matthew Karp, *This Vast Southern Empire: Slaveholders at the Helm of American Foreign Policy* (Boston: Harvard University Press, 2016), 3. His definition of slave diplomacy centers on southern elites who “kept the international politics of slavery under constant surveillance, tracking threats to slave property across the hemisphere and monitoring oscillations in global attitudes toward emancipation. They carefully followed the course of world affairs—not only the storms of revolution and reaction in Europe, but also the steady growth of imperial influence in Africa and Asia... Above all, slaveholding leaders sought to keep pace with the constant strivings of the mid-nineteenth century world—the expansion of commerce, the march of empire, and advance of science, and the reshaping of state power.” While my definition places slaves more at the center and to the limits of my study, Karp’s definition is important as it adds value to understanding slaveholders’ diplomacy leading up to the Civil War.

² Sam Houston to the Congress of Texas, January 26, 1844, *The Writings of Sam Houston, 1813-1863*, Vol. I-VI (Austin: Jenkins Publishing Company, 1970) Vol. V, 392-402.

refused to endorse his successor, Anson Jones. Refusing to be pressured into with the United States, Jones allied himself with British diplomat Charles Elliot in hopes of keeping Texas a sovereign nation.³ Many forces were vested in the status of the young Republic. Houston and Alphonse de Saligny proffered a scheme for France to purchase west Texas.⁴ Southern elites in the United States wanted Texas annexation in order to add another slave-holding state, which their president, John Tyler supported. Concerned, with not only national, but also global attacks on slavery, southern slaveholders entered into the Republic of Texas' annexation fight. By Texas achieving statehood as a slaveholding entity, slaveholding diplomats became emboldened that the western parts of the country needed to be opened to slavery.

Sam Houston had appointed Isaac Van Zandt in 1842 and vested him with all the necessary powers to initiate annexation.⁵ No stranger to Texas politics, Van Zandt arrived in Texas in 1838 from Franklin, Tennessee, after several failed business ventures. He was a lawyer and small plantation owner. His family was prominent, but poor. When he married into the well-to-do Lipscomb family, his wife, Frances Cooke Lipscomb, returned to her family home while Van Zandt turned to the West in search of better opportunities.⁶ Van Zandt was the first diplomat who had not arrived before or

³ This is primarily the story of chapter 4. It is important to remember that while Jones and Elliot are not heavily mentioned in this chapter both are involved in the process of annexation. On the eve of annexation, Elliot is recalled by the British government. See Appendix B.

⁴ The French Diplomatic Corp is perhaps weakest simply by the fact that there is little support for the Bourbon king. Louis Phillippe I seeks to tie his legacy to re-making France a world power through colonization. Interestingly, the two places you see this is in the Republic of Texas and Mexico. See Appendix C. While Spain and Portugal is not mentioned in the study, they are in the Gulf Coast Region.

⁵ Sam Houston to Isaac Van Zandt, January 29, 1844, *The Writings of Sam Houston*, 158-159.

⁶ In one Van Zandt's biography, the author describes Isaac and Frances' marriage as two great families uniting. However, his family benefited more from the union than the Lipcombs, a quite wealthy and educated family. Frances in her own right was educated and managed the family farm when Van Zandt was away, keeping the family from going broke. See Joan Sloan Cranz, "The Impact of a Father and Son

during the Texas Revolution. He quickly aligned himself with the planter elite and established the town of Marshall which he represented in the Texas House of Representatives beginning in 1840 during the Lamar presidency.

By this point, there was a clear political schism between Lamar and Houston's presidency over issues that plagued the Republic, specifically Native Americans, annexation, and debt. Instead of compromising with Native Americans, as Houston had done, Lamar adopted a policy of subjugation and eventually expulsion. While the majority of Texans preferred annexation, Lamar remained invested in Texas' independence. And, in response to Texas' spiraling debt, he issued worthless paper money, known as redbacks.⁷ Lamar, a poet, could not find convincing enough words to gain the support of fellow Texans. Van Zandt, who resided in Cherokee Territory, sided with Lamar's Indian policy. (see map)⁸ Supporting this initiative led many to question Van Zandt's loyalty to Sam Houston.

on Texas: Isaac Van Zandt and Khleber Miller Van Zandt," Master's Thesis, University of North Texas, 2006, 8-9.

⁷ Llorena Friend, *Sam Houston, The Great Designer* (Austin: University of Texas Press, 1954), 250.

⁸ Sam Houston fought to establish a border between the Cherokee Nation and Texans around Neches-Sabine River at the end of his first administration as President in 1838. Mirabeau Lamar fought to expel the Cherokee from the Republic. The result was the Cherokee War in 1839 where the Cherokee suffered a great defeat. See Dianna Everett, *The Texas Cherokees: A People between Two Fires, 1819-1840* (Norman: University of Oklahoma Press, 1990), 75-119 and Cranz, "The Impact of a Father and Son on Texas," 17-18. After the Civil War, this area would become one of the top cotton producing areas.



Map of Marshall, Texas



Texas Cherokees forced migration to West of the Mississippi River

Van Zandt's appointment as the Chargé de Affaires came as a surprise to many given his support of Lamar. One of the first issues he confronted was the Santa Fe Expedition. The Republic of Texas claimed the Rio Grande River as its border. This border (look at the Map of Marshall above) runs from Brownsville and circles into New Mexico (Santa Fe is slightly north of Albuquerque). This was the land that Sam Houston attempted to sell to France with the help of DeSaligny in 1841.⁹ However, New Mexico continued to be occupied by Mexican citizens, government, and the military. Without congressional approval and poorly funded, the small troop arrived in Santa Fe, New Mexico in December 1842. They quickly surrendered to the Mexican army and were imprisoned in Mexico City. Texas sent Bernard Bee to negotiate their release.¹⁰

Bee did not go to Mexico City to negotiate instead he worked out of New Orleans where he personally wrote President Santa Anna. This letter did not plead for the life of

⁹ See Chapter 3.

¹⁰ See Paul Spellman, *Forgotten Texas Leader: Hugh McLeod and Texas Santa Fe Expedition* (Austin: University of Texas, 1999), 52-63 and 93-106. The soldiers were not released until 1843

his fellow Texans nor was it one of apology. It was one of “raining hell and brimstone.” Bee declared if Mexico invaded Texas over this incident that Mississippians and other southerners were prepared to defend Texas. Santa Anna was so insulted that he emphasized not only his masculinity but that he was, in fact, the President of Mexico with a long history and military might, etc. He laughed at the notion of Americans getting involved in this matter and encouraged Texans instead to have England, or France mediate a peace treaty between the two countries. He concluded he had been proven correct that Anglo-Texans had illegally confiscated Mexican territory (Texas through filibustering) and was attempting to do the same in Santa Fe until they were caught.¹¹ Bee's arrogance in dealing with the Santa Anna came from the rising slave diplomacy which emerged from southern elites who felt targeted by northern and global abolitionists.¹² Nevertheless confident he held the winning card, Santa Anna felt he outplayed Bee.

The disastrous Santa Fe Expedition hurt Texas' credibility in its claims that it sought a peaceful resolution with Mexico. The discussions to fix an expired commercial treaty stalled as it was not in

the best interest of Texas...to conclude any treaty with the United States which shall not embrace a provision for the free entrance of our Cotton and the unencumbered navigation of those streams which take their rise in Texas, and either form the boundary between the counties, or flow into the United States, and empty into the Sea of their territory.¹³

¹¹ Antonio Lopez De Santa Anna, Mr. James Hamilton, and the *New Orleans Picayune* of March 10. “Texas and Mexico” *Daily National Intelligencer* (Washington, District of Columbia) 23 March 1842, n.p. *19th Century Newspapers*. Web.

¹² Matthew Karp, *This Vast Southern Empire*, 3.

¹³ Isaac Van Zandt to Anson Jones, March 13, 1843, *Correspondence with the United States*, 132-35.

In simpler terms, Texans desired the same rights as American citizens. Accepting less was unconscionable. Pleadings with the United States' Secretary of State, Daniel Webster, fell on deaf ears. Webster was furious over Texas' actions in Santa Fe and refused to accept excuses from Van Zandt that the actions of a few Texans were sanctioned by the Republic. These were simply men who disobeyed the law. Webster replied, "it was impossible to draw the distinctions at all times between those who acted with authority and those who acted without."¹⁴ If militias, Webster argued, were able to form and act independently, then that nation was without a viable government.¹⁵ This was a harsh condemnation. Failing in his appeal to Webster, Van Zandt used a different tactic.

Van Zandt appealed directly to the President of the United States, John Tyler, to publically support the independence of Texas as "the movements of the British government can not be looked upon in any other than a suspicious light."¹⁶ Tyler had come into office in 1841 following the death of William Henry Harrison. He was soon expelled from his political party, the Whigs, after vetoing their legislation.¹⁷ As a consequence, the government came to a standstill.¹⁸ At first, Tyler retained Harrison's

¹⁴ Ibid, 135.

¹⁵ Ibid, 135.

¹⁶ Ibid, 136. As a senator, Tyler believed and espoused anti-British views. He gave credence "to the charge of British collusion" and claimed that abolitionists, Arthur Tappan and William Garrison, "had imported an outside agitator from England, a 'Mr. Foreigner Thompson,' to teach southerners 'the principles of civil liberty and the rights of humanity.'" See Edward Crapol, *John Tyler: The Accidental President* (Chapel Hill: The University of North Carolina Press, 2006), 48.

¹⁷ See Crapol, *The Accidental President*, 20-23. Tyler vetoed tariff legislation but more importantly, Tyler was a pro-slavery activist in an anti-slavery party. Tyler's failed relationship with Congress led to the first Congressional override of a presidential veto. This was seen as a symbolic gesture as the original bill dealt with building a naval base.

¹⁸ See Crapol, *John Tyler: The Accidental President*, 7-29. William Henry Harrison died one month into his presidency. Harrison and Tyler had won the election as Whigs. As a big "umbrella" party, the only thing the Whigs had in common was their dislike of Andrew Jackson. Tyler switched from being a Democrat to a Whig after the Nullification Crisis in 1832.

cabinet but they quickly resigned with the exception of Daniel Webster, the Secretary of State, who was in the middle of treaty negotiations. After completing the Webster-Ashburton Treaty (1842), Webster resigned.¹⁹ Tyler replaced Webster with Abel Upshur. This appointment was a boon for Texas. By the time of his appointment and to the shock of his peers, Upshur became a vocal supporter of slavery. He argued, "Black slavery was essential to white freedom because having the 'lower condition' of servitude to which not even the poorest could descend guaranteed a 'republican equality' for all white men."²⁰ For a short while, Van Zandt found an ally for annexation.

Abel Upshur began his career in the Tyler Administration as Secretary of Navy before becoming Secretary of State. He urged Congress to enlarge the United States navy so that it could better patrol the Gulf Coast Region. Upshur defined this region from Pensacola, Florida to Mexico and the Caribbean. The Webster-Ashburton treaty equalized the British and United States' navies with the pact that they could not forcibly board an American ship suspected of illegally transporting African slaves across the Atlantic. Upshur sought more assurance by seeking to make the United States a naval power and to setup base in the Gulf Coast Region (Pensacola).²¹

Upshur saw this Gulf Coast Region as the battlefield for slavery. This region was destabilized as early as 1824 when Mexico gained its independence from Spain and it continued when Texas splintered from Mexico and gained its own sovereignty. These were not small countries. Texas is larger than France and Mexico (pre-1850) is almost

¹⁹ The Ashburton-Webster Treaty (1842) set the United States-Canadian border where it is today as well as called for the policing of the Atlantic Ocean by both countries to stop the illegal African slave trade. See Robert Remini, *Daniel Webster: The Man and His Time* (New York: W.W. Norton and Company, 1997), 535-565.

²⁰See Crapol, 51. Upshur was killed in a navy ship blast in 1844.

²¹ Matthew Karp, *This Vast Empire*, 41.

the size of Russia. The instability of these two neighboring countries awakened expansionist zeal. Great Britain and France acted as shadow governments in Mexico refusing to leave until Mexico paid its debts to their citizens. The Republic of Texas allowed Great Britain full reign along their coast in the hopes of receiving loans and proving that they were serious about stopping the illegal slave trade. Upshur realized that if the United States did not become involved in this region, this inaction would leave the United States vulnerable to British imperialism and abolitionism.²²



Map of Gulf Coast Region—Texas (slave state), Mexico (free state), Cuba (slave), Bahamas (unmarked, free), Barbados (unmarked, free), British Guiana (unmarked, free), Brazil (slave)

Using England's perceived attempt to colonize Texas, Van Zandt hoped to secure the public recognition of Texas as an independent slaveholding nation. Van Zandt refuted any suggestions that Texas welcomed the entreaties made by Great Britain. Using the same duplicitous slave diplomatic practices, Texas feigned fearful of England's intent as it was a

known policy of England upon the question of Slavery and the assertions of

²² *Ibid.*, 41-44.

those connected with her Government that equivalents could be had by Texas for her slaves if they were freed, show evidently that it is a darling project of hers to see established in Texas a free state peopled by Anglo-Americans.²³

If Texas lost its independence to Great Britain, Van Zandt posited it would affect every slaveholding state in the Gulf Coast Region. British annexation of Texas would change global politics. Compelled by Van Zandt's points but unwilling to commit to action, President Tyler deferred any decisions until after speaking with the French government. While this may have seemed a weird pivot, it was a victory for Texas. Beginning with the arrival of the French minister M. de Saligny, Texas continued to enjoy warm relations with the Bourbon government.²⁴

After great anticipation, annexation stalled again in the face of abolition resistance. Houston's promotion of Texas may have appealed to Tyler and his proslavery cabinet but it was not enough to convince Congress to act. Anti-slavery poet, John Greenleaf Whittier, urged his fellow brethren

From your capes and sandy bars,
From your mountain-ridges cold,
Through whose pines the westering starts
Stoop their crowns of gold;

Come, and with your footsteps wake
Echoes from that holy wall;
Once again, for Freedom's sake,
Rock your fathers' hall!²⁵

²³ Isaac Van Zandt to Anson Jones, March 13, 1843, *Correspondence with the United States*, 132-35.

²⁴ In 1843, Houston remarked that de Cramayel was a "generously, justly, and ably engaged, as the representative of His Majesty" in promoting peace between Texas and Mexico. De Cramayel seceded de Saligny. De Saligny during his tenure oversaw the construction of the French legation, the first foreign diplomatic settlement in the Republic, in 1841 just north of Washington-on the Brazos in present-day Austin.

²⁵ John Greenleaf Whittier read several different versions of the poem entitled, "Texas," 1844. He recited this version to Faneuil Hall.

This urgent call to arms reminded northerners what was at stake with the admittance of Texas as a slaveholding state; it would accelerate the westward expansion to the Far West. In Massachusetts, Whittier declared that the battle lines were clear and

Shall thy line of battle falter,
With its allies just in view?
Oh, by hearth and holy altar,
My fatherland, be true!
Fling abroad thy scrolls of Freedom!
Speed them onward far and fast!²⁶

He concluded

To the tyrant's plot no favor!
No heed to place-fed knaves!
Bar and bolt the door forever
Against the land of slaves!"²⁷

Whittier's words suggest the growing schism between proslavery and anti-slavery activists. Describing slave owners as tyrants and knaves, abolitionists stopped seeing their fellow Americans as defenders for freedom and called for their removal from the Union. Whittier and his fellow abolitionists had successfully halted the annexation of Texas. But convincing Americans to maintain a strong stance against the Republic grew increasingly difficult in the face of Manifest Destiny and its commercial success.

Van Zandt pushed the United States to assign a consulate to the city of Sabine or at the Pass of Sabine.²⁸ This consulate would not only collect duties, but also, stop smugglers from entering the Gulf Coast Region. Houston believed that Sabine City or

²⁶ John Greenleaf Whittier, "Texas."

²⁷ Ibid.

²⁸ Sabine Pass and the City of Sabine sits on the Sabine River, at the point where it enters the Gulf of Mexico, the natural boundary between Texas and Louisiana.

the Pass of Sabine, with access to the Gulf of Mexico, stood a chance of becoming a major commercial entrepot. Port smuggling, however, was a problem; slaves, he observed, were “illicitly introduced into the country at that point and we have a right to expect future attempts of a like character.”²⁹ Aware that slavery served as a roadblock to annexation, Houston wished to appease abolitionists by upholding Texas’ prohibition against the re-opening of the African slave trade. This was Houston’s way of telling the President of the United States that it was their citizens, not his government, who were complicit in the illegal slave trade. They were, moreover, American smugglers, who were the principal traffickers of slaves into the Gulf Coast Region. Ignoring the situation in Sabine City and other port cities along the coast, Houston hinted, proved the United States, not Texas, were aiding in the westward expansion of slavery.



Sabine City/Pass of Sabine

Pointing to this region as a place of illicit smuggling was smart of Van Zandt and Houston. Rolonda Teal points out that the flora and fauna remains the same today as it was in the nineteenth century. The Sabine Pass, which is not wide and is quite muddy,

²⁹ Sam Houston to Isaac Van Zandt, February 13, 1845, *The Writings of Sam Houston*, 158-160.

offered a safe passage for slaves.³⁰ Makala Audain's work focuses on this same pass in discussing the Southern Underground Railroad. She shows that escaping slaves used the pass on their way to northern Mexico, by today's estimate, an eight-day journey.³¹

Van Zandt could not stop the rumors that illicit slaves continued to enter Texas. Sean Kelley used interviews of freed slaves conducted by the Works Progress Administration (WPA) to show that the majority of the illegally transported African slaves resided on the Chenango Plantation, owned by Monroe Edwards.³² He also sold these slaves to surrounding plantations (see map below). From these interviews, Kelley deduced that freedman from Brazoria shared a close connection to Africa, confirming British fears that African slaves continued to be illegally transported and sold in Texas.³³

³⁰ Rolonda Teal, "1804 Cane River Massacre," presentation at Black History Month Events, Houston Community College, Houston, Texas, February 13, 2017.

³¹ Mekala Audain, "The Southern Underground Railroad to Spanish Texas and Northeastern Mexico," paper presented at The Organization of American History, New Orleans, Louisiana, April 8, 2017.

³² Ironically, the Brazoria County Courthouse in Angleton, Texas resides on Chenango Street.

³³ Sean Kelley, *Las Brazos de Dios: A Plantation Society in Borderlands Texas, 1821-1865* (Baton Rouge: Louisiana State University Press, 2010), 126.



Map of Brazoria Plantations and Chenango Plantation. This plantation was around 300-400 acres and spread across 3 neighboring leagues of land--William Harris (#6), Stephen Richardson (#7), and Josiah Abbott (property to the right of Harris and Richardson). In small letters in Abbott's league, is Chenango Plantation. [Map of 1879, Texas General Land Office]

At the beginning of his first presidency in 1836, Sam Houston signed a proclamation prohibiting the African slave trade. In 1842, Texas re-affirmed the illegality of the illicit trade, this time, in partnership with Great Britain. Again, slave diplomacy was at play. This pact tied Texas to the global abolitionist movement. England had entered into similar agreements with the Netherlands (1814), France and Portugal (1815), and Spain (1817 and 1820). These treaties were symbolic but they nonetheless, positioned slavery at the center of global politics.

With John Tyler at the helm of American diplomacy, this Quintuple Treaty took on new meaning for his "ambassador of slavery" Duff Green. Matthew Karp describes how

Green “struck upon a new explanation for British’s antislavery foreign policy.”³⁴ Green, in a letter to Tyler, argued that England wanted to enslave the United States to British Imperialism. That by “crushing its slave labor competition” that “we cannot raise cotton and sugar” thereby making the world “dependent upon her East Indian Colonies for the supply of the raw material.”³⁵ This was the type of rhetoric that encouraged Texans that annexation was moving from a possibility to a reality.

Once again, Houston faced the end of his second presidential administration without securing annexation. To be clear, a treaty had been drawn up with the signatures of Isaac Van Zandt, John Pinckney Henderson, and John C. Calhoun with the full approval of the Republic of Texas and at the last minute, it failed to pass in the Senate. This 1844 treaty was a boon for Texas. The Republic would cede all public lands to the United States; the Union would assume all of Texas’s debt and would forward money immediately to the new state to keep them financially afloat; and, commissioners would decide on keeping the integrity of the territory or divide it into smaller states. Lastly, the treaty provided its citizens would enter the Union with full citizenship rights and the rights to enjoy their property.³⁶ With only southern support, the annexation bill failed in the United States Senate. Although Sam Houston’s was no longer President, he continued to push for annexation.

For over seven years, the issue of slavery and illegal slave imports had stalled discussions on Texas entry into the Union. By the time Van Zandt reached Washington,

³⁴ Karp, *This Vast Empire*, 16.

³⁵ *Ibid.*, 16.

³⁶ Hunter Miller, ed. “The Treaty of Annexation—Texas; April 12, 1844, A Treaty of Annexation concluded by between the United States and the Republic of Texas,” in *Treaties and Other International Acts of the United States of America*, Vol. 4, (Washington: Government Printing Office, 1934). The Avalon Project

D.C., slavery was an entrenched institution in Texas. Slave labor built the Republic's economy and the profits from cotton and sugar production financially bolstered its treasury. The history of a Fort Bend county plantation, the Lum Plantation, exemplifies how ingrained slavery had become, the importance of slave labor, and, the consolidation of its planter elite. It is no doubt that combined, these factors strengthened Van Zandt's mission to re-open negotiations on annexation.

In 1822, Mason Wilkins, a Mississippian, decided to make his fortune in Texas and settled in Matagorda County with his wife and two daughters. Under Spanish law, his family qualified for a league of land.³⁷ One year later, Wilkins died leaving his wife, Jane, a widow and two daughters to inherit the property. Unable to fight the challenges to the ownership of the estate, Stephen F. Austin, acting empresario, granted Jane the option of a land grant in Fort Bend County either in exchange for her land in Matagorda or the option of publically sell the property.³⁸ Jane Wilkins sold her estate to two land speculators, James Knight from Alabama, and Walter White, who claimed earlier ties to Texas as a member of James Long's unsuccessful filibustering expedition in 1819.³⁹ The two men sold parcels of their land to newly arriving immigrants. As immigrants moved to the region, they brought their slaves.

³⁷ A league of land is 4, 446 acres.

³⁸ Gifford White, *1830 Citizens of Texas: A Census of 6,500 Pre-Revolutionary Texans* (Austin: Eakins Press, 1983), 160, 176, 197. Spanish law allowed widowed women to retain their land. When Jane Wilkins moved to Fort Bend (which was part of the large Austin Empresario), her land was adjacent to another famous Texas widow, Jane Long. For Texas women landownership rights see, Joseph W. McKnight, "Transforming Property Law: Conservative Attitudes, Reluctant Change," *Law and Contemporary Problems*, Vol. 56, No. 2, 73-81. McKnight traces the origins of Texas laws concerning women's property rights to the Spanish. He argues that Spanish law concerning property rights for women continue to shape current legislation.

³⁹ The Knight and White League is #1 on the Map of Fort Bend County. Jane Wilkins remained close to the original homestead moving further south, remaining by the Brazos River.

In 1851, the Lum family purchased a parcel of land on Wilkins' league. This was the second Texas homestead for the Lums. The family finally found success on this new plantation residing along Oyster Creek. Less than a year after purchasing the plantation, Lewis Lum died leaving his wife, Cynthia, in possession of their holdings until her death in 1856.⁴⁰ The estate was worth \$22,000. When the value of their thirty-five slaves were added, the Lum plantation's worth was in excess of \$48,000. The price of the slaves, which included children, hinted at a large percentage being prime age workers. As the estate went through probate, Jane's oldest grandson, Milton, managed the estate with at least twenty-five of the original 35 slaves. To ensure the families' success, Milton was not afraid to use slaves as collateral for a loan, and in fact, by 1856, he used several slaves to secure a loan from William Robertson, a fellow planter for \$5,900.⁴¹ Milton, so reliant on slave labor, continued to purchase slaves up until the eve of the Civil War.⁴²

At the height of its success, the Lum plantation housed fifty slaves in ten houses. There were very few slaves older than 50 on the plantation and less than ten slaves under the age of 10. On sugar and cotton plantations, slaves' productivity determined the enterprise's profitability. Few were willing to own older slaves who could no longer work or required extended medical care.⁴³ This goes against proslavery arguments that

⁴⁰ As land speculators, they sought to make a large profit and began to section off their land. This was the business partner's second league of land and they quickly began to break off pieces. See *Fort Bend County Deed Book A*, 105-106, George Memorial Library, Rosenberg, Texas.

⁴¹ In the probate record, the average value of Lum's slaves was \$770, slightly higher than the state average. See *Fort Bend Probate Minute Book D*, 617-622 and Robert Campbell, *Empire for Slavery* (Baton Rouge: Louisiana State University Press, 1989), 264-266.

⁴² In February 1860, Milton purchased four slaves from Dan Connor for \$4, 714. Then in May, he purchased two more slaves from G.S. McNeil for \$1688. See *Fort Bend Deed Book F*, 262-263.

⁴³ The Kyle and Terry Oakland Plantation (see Map of Fort Bend, #8) which had the highest number of slaves, 108, also possessed the oldest slave at 100 years old.

plantation owners were paternalistic and treated their "workers" better than capitalistic factory owners, who did not provide safeguards for their employees.⁴⁴ The Lum family operated a successful working plantation with unfree labor. The number of slaves they owned fluctuated between fifty and thirty-five, the numbers rising and falling with the family's fortunes.

When Lum's slaves escaped, he immediately set about recovering them. On more than one occasion, he hired slave patrols and used dogs to find fugitive slaves. He hired a full-time slave hunter, F.J. Brown, whose occupation was listed as "hunting Negroes." Slave patrollers acted as police on the plantations. Rooting out signs of resistance and rebellion was just as important as recapturing escaped slaves. Their presence on slave plantation proved these estates were not idyllic country homes with happy workers, but one which instituted harsh discipline to their unfree laborers. The occupation of slave hunters spoke to the determination of slaveowners to retain their slaves as well as maintain and perpetuate the institution by any means.⁴⁵ On two occasions in 1859, Lum used Brown and his dogs to capture runaway slaves.

In Fort Bend, as in Brazoria County, most farmers planted cotton and sugar. These were the staple commercial crops of Texas. The Lum's plantation was located along the Brazos River. Brazoria and Fort Bend, neighboring counties, housed some of Texas wealthiest plantation owners. Samuel May Williams, Austin's personal secretary and a member of the Galveston Wharf Company, owned a league of land in this area. Their wealth was built on slave labor. Perhaps this is why Milton Lum had no fear about

⁴⁴ George Fitzhugh, "The Universal Law of Slavery," www.docsouth.unc.edu.

⁴⁵ Stephanie Camp, *Closer to Freedom: Enslaved Women and Everyday Resistance in the Plantation South* (Chapel Hill: The University of North Carolina, 2004), 28-34.

continuing to purchase slaves on the eve of the Civil War. Increased cotton production resulted in an increase in the slave population. Cotton became the commercial crop that tied the Republic to world markets. The triumph of the slaveowners to attain wealth for themselves and for the Republic, afforded Van Zandt space to negotiate a treaty of annexation.



Map of the Fort Bend County, Original Land Grants. The Lum Plantation sat on the Wilkens' land grant (#4)

Another driving force that offered an opportunity for Van Zandt to successfully negotiate annexation was the rise of the Republic's business sector. Texas profited heavily from the production of cotton, which led to the development of Galveston as the business capital of the nation. Through the Galveston Wharf Company wealth was

consolidated into the hands of a small group of men, including Robert Mills, M.B. Menard, Samuel May Williams, and Gail Borden. In the late 1830s, these men thrived in Texas' growing economy. Many of them had participated in colonial Texas politics, speculated in land, financed the Texas Revolution, and would assist with the annexation of Texas into the United States. Samuel May Williams accompanied Stephen F. Austin to Texas as his translator and secretary in 1821 and later became a business partner of Austin's. In 1838, he would join M.B. Menard in establishing the Galveston City Company. Williams, as mentioned above, owned a sugar plantation. In 1841, he received special permission from the Texas legislature to open a private bank. His bank, the Commercial and Agricultural Bank of Galveston, printed and distributed its own notes throughout Texas.⁴⁶

Robert Mills, along with his two brothers, owned over 100,000 acres of land throughout Texas. Originally from Kentucky, Mills immigrated first to Louisiana then to Texas. Robert, the elder Mills brother, "dubbed the 'Duke of Brazoria,' superintended the commercial side of business, which included banking as well as partnerships in mercantile firms headquartered in such far-flung cities as New York, Liverpool, and Havana."⁴⁷ David, the younger brother, ran their 3,000-acre sugar plantation in Brazoria with 344 slaves.⁴⁸ Although, the Texas constitution outlawed banking, Mills and

⁴⁶ Online—<http://www.tsha.utexas.edu/handbook/online/articles/view/ww/fwi35/html> [Accessed Sat Aug 14 15:57:49 US/Central 2004].

⁴⁷ William K. Scarborough, *Masters of the Big House, Elite Slaveholders of the Mid-Nineteenth Century South* (Baton Rouge: Louisiana State University Press, 2006), 16.

⁴⁸ Campbell, *An Empire for Slavery*, 274.

Williams were able to bypass this restriction and successfully create financial institutions that exchanged specie for paper money or credit.⁴⁹

Entrepreneurs like Mills and Williams thrived as the state became more commercial. They recognized the importance of consolidating wealth in a commercial center, Galveston, a city close to Houston, Brazoria, and Fort Bend Counties (the wealthiest counties in Texas, which possessed the greatest number of slaves and produced the most cotton and sugar in the state).⁵⁰ They also recognized the capricious nature of cotton production and the pitfalls of speculating in cotton. Historian James Watkins' timeline of cotton production shows that many factors could affect the cotton crop other than the decline of cotton prices. He listed such factors as the cotton worm, which appeared in 1834, and the caterpillar and boll weevil, which also caused great destruction to the cotton plant. In 1843, floods damaged many cotton crops.⁵¹ These men counted on slave diplomacy to further their commercial success.

Again, slavery and the production of cotton secured the Republic's wealth.⁵² The demographics of the wealthy, who tended to be slave owners, resembled the wealthy in other southern states. The planter/merchant elite shared common traits. They were

⁴⁹ The distrust of financial institutions evolved out of the schism between the Whigs and Jacksonian Democrats. The Whigs formed in the late 1820s in reaction to Andrew Jackson's autocratic policies as president. They advocated a loose interpretation of the Constitution, promoted federally funded internal improvements, championed big business and banks, and were anti-slavery. Jacksonian Democrats called for a strict interpretation of the Constitution, believed in states' rights, protection of the common man (white men) against land speculators and creditors, and gaining independence for the common man through land ownership. In Texas, the tension between the Whigs and Jacksonian Democrats escalated with the commercialization of Texas. While 90% of the population—including farmers, planters, and laborers—did not support the commercialization of Texas, the remaining 10% of Texas' population—including merchants and professionals who facilitated trade, created commercial centers, and developed a railroad system. Ironically, this facilitation drove the commercialization of Texas' economy.

⁵⁰ Campbell, *An Empire for Slavery*, 273-276.

⁵¹ James Watkins, *King Cotton: A Historical and Statistical Review from 1790 to 1908*, (New York: Negro University Press, 1969), 200-205.

⁵² Randolph Campbell, *Wealth and Power in Antebellum Texas* (College Station: Texas A&M, 1977), 80.

men, usually immigrants, (many arrived before Texas became a Republic) from other southern states, their ages ranged from 50-60 years old, they were slave owners, and they were Protestant.⁵³ All Texas diplomats were part of the planter elite.

Texas diplomats, using the planters' success, promoted the Republic as the commercial center of the Gulf Coast Region and, at the same time, challenging the abolitionist narrative of the rising number of slaves in the region. The Allen brothers, founders of Houston, in a long advertisement in the *Telegraph and Texas Register* noted:

Houston [was] located at a point on the river, which must ever command the trade of the largest and richest portion of Texas. By reference to the map, it will be seen that the trade of San Jacinto, Spring Creek, New Kentucky, and the Brazos, above and below Fort Bend, must necessarily come to this place, and will warrant the employment of at least *One Million Dollars* of capital, and when the rich lands of the country shall be settled, a trade will flow to it, making it, beyond all doubt, the great interior commercial emporium of Texas.⁵⁴

This advertisement resembles a Galveston pamphlet, which touted the city as second only to the port of New Orleans (noting that the output of the New Orleans' port was second to the largest in the United States, New York).⁵⁵ Texas merchants relied on diplomats to create strong commercial ties to England and other European nations. Commercialization would have stalled without diplomacy. Without Texas diplomats establishing trade agreements, planters' cotton would have gone unpurchased.

Van Zandt used these narratives of success to belie the true story of the nation's growing debt. T.W. House was one such merchant. In 1836, House began his career

⁵³ See Campbell, *An Empire for Slavery*, 273-276.

⁵⁴ "Advertisement," in *Telegraph and Texas Register* (Columbia, Texas) August 30, 1836 and also in David G. McComb, *Houston, The Bayou City* (Austin: University of Texas Press, 1969), 11.

⁵⁵ For the listing of the largest ports in the United States in 1820, see George R. Taylor, *The Transportation Revolution, 1815-1860*, (New York: Harper Torchbooks, 1951), 7.

as a baker and candy seller. He soon realized the beginning of his future in lending money. By 1840, House ran a dry goods store, was a cotton factor, and an investor. In exchange for goods, Texans living in the hinterlands sold their cotton to House. House, in turn, sold their cotton overseas. With the profit, he purchased more goods from northern cities, Europe, and New Orleans. Merchants, like House, publicized the growth of Texas' economy by providing planters with price lists, using factors to purchase and sell cotton for the best prices, and patronizing steam liners who provided safe, reliable and cheap freight transportation. Success, not failure, re-opened talks for Texas' annexation.

Houston recognized that cotton, produced with slave labor, defined Texas, not only as a sustainable nation, but also as an essential to the marketplace in England, Europe, and the United States. This at its foundation was slave diplomacy and Houston became so convinced in its efficacy that he came to believe in Texas' independence. In writing to his mentor, Andrew Jackson, he complained that the United States' stance towards annexation was "peculiar and difficult." Houston continued that

Texas , with peace, could exist without the United States, but the United States, can not , without great hazard to the security of their institutions, exist without Texas... Situated as Texas is, in point of locality [Gulf Coast Region] with peace she would have nothing to apprehend for years to come... Her people would have nothing to divert them from their agricultural pursuits...if peace and commerce are inevitable.⁵⁶

⁵⁶ Sam Houston to Andrew Jackson, February 16, 1844, *The Writings of Sam Houston*, 260-261.

While this appeared to be an audacious claim, the production and sale of cotton boosted the nation's economy to the point that convinced Houston that Texas could remain independent.

Once again, Houston faced the end of his second presidential administration without securing annexation. Defeated, he initially pulled annexation from the table and turned his attention to keeping Texas sovereign. Hope arrived with a new United States consul, Andrew Jackson Donelson, the nephew of Jackson. Donelson's early political career consisted of maintaining Andrew Jackson and the Democratic Party's legacy. During Tyler's administration, like his cabinet, he lacked the ability to retain long-term *chargés des affaires* in Texas. Donelson came to Tyler's attention when he threw his support behind James Polk instead of Martin Van Buren, his uncle's vice president, now running for President on the Know-nothing nomination.

When Tilghman Howard died suddenly, Tyler reached out to Donelson to become the new consul. Tyler realized that, with the failure to pass annexation, the movement to ensure the Republic remain a independent country and was gaining momentum under Houston's direction strongly supported by Anson Jones. According to Mark Cheatham, Tyler chose Donelson for two reasons. He hoped that Donelson, relying on his uncle's longstanding relationship with Sam Houston, would keep Sam Houston interested in annexation and equally important, Donelson had the support of

⁵⁷ See Appendix E.

⁵⁸ Mark Cheatham, *Old Hickory's Nephew: The Political and Private Struggles of Andrew Jackson Donelson* (Baton Rouge: Louisiana State University Press, 2007), 114-115.

James Polk, the likely next president.⁵⁹ Polk's campaign ran on the idea of American expansionism.

As a lame-duck president, Tyler continued to press for the annexation of Texas during the presidential election between James Polk, Henry Clay and Martin Van Buren. The statehood amendment Tyler had initially failed to push through Congress in 1844, succeeded as one of his last acts as American people became more interested in this idea of Manifest Destiny.⁶⁰ Right before the newly elected president took office, the Joint Congress passed a resolution to annex Texas. Tyler finally succeeded at the 12th hour.

Three days after the Joint Congress passed the Resolution to annex Texas, Polk, in his inaugural address, expressed concern that there were growing sectional divisions and schemes to take away "domestic institutions" that had been in place before the country even existed.⁶¹ This domestic institution was slavery. Polk congratulated the "reunion" of Texas and the United States and stated that foreign countries had "no right to interfere with them or to take exceptions to their reunion."⁶² To Texans, Polk emphasized, annexation ensured that the

strong protecting arm of our government would be extended over her, and the vast resources of her fertile soils and genial climate would be speedily developed, while the safety of New Orleans and of our whole southwestern frontier against hostile aggression, as well as the interests of the whole Union, would be promoted by it.⁶³

⁵⁹ Ibid., 117.

⁶⁰ Torget, *Seeds Empire: Cotton, Slavery, and the Transformation of the Texas Borderlands, 1800-1850* (Chapel Hill: University of North Carolina, 2015), 219-255.

⁶¹ James Polk, "Inaugural Address." Speech, Inauguration, Washington, D.C., March 4, 1845.

⁶² Ibid.

⁶³ Ibid.

Behind the meanings of Polk's words, such as "fertile soils" and "development," was a vision of westward expansion with the institution of slavery intact.

Conclusion

Nine years of diplomacy surrounding the Gulf Coast Region yielded two significant results—annexation and the westward expansion of slavery. Annexation came on December 29, 1845. The “Joint Resolution Annexing Texas to the United States” gave Texans the right to decide whether to permit or outlaw slavery based on the 36’30 line from the Missouri Compromise.¹ It allowed Texas to keep its territorial integrity but the United States assumed all public lands, ports, and navy yards. The United States also assumed all public debt. Lastly, Texas received \$100,000 immediately to defray any costs during the mediation period. Slave diplomacy clearly won.²

However, most historians, such as Andrew Torget and William Freehling view Texas’ annexation as a failure of diplomacy.³ Following the annexation of Texas, Mexico declared war with the United States and the issue of the westward expansion of slavery continued to divide the nation. When the war ended and the United States again doubled in size, the question of limiting slavery in the South arose again. The “western” test for slave diplomacy began. The fight to open the west (California, New

¹ See Article 2, number 3 in which it states, “And as 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 to the Union with or without slavery, as the people of each State asking permission may desire. And in such State or States as shall be formed north of said Missouri compromise line, slavery, or involuntary servitude, (except for crime) shall be prohibited,” “The Resolution Annexing Texas to the United States,” March 1, 1845 in *Treaties and other International Acts of the United States of America*, edited by, Hunter Miller, Vol. 4, Documents: 80-121, 1836-46 (Washington, D.C.: Government Printing Office, 1936). The resolution was one of the first acts by President James Polk after his inauguration.

² Ibid.

³ William Freehling, *Road to Disunion: Secessionists At Bay, 1776-1854*, (New York: Oxford University Press, 1990), 353-440 and Andrew Torget, *Seeds of Empire*, 240-55. In his book, Torget entitles his chapter on annexation, “The Failure of the Slaveholders’ Republic, 1842-1845.”

Mexico, Utah, Nevada, and Arizona) for slavery would not look like the slave diplomacy as I defined it in this study. This fight posed different questions as people lauded “free soil, free people, free labor.”⁴ These free people were by no means against slavery, they simply did not want to have to compete with slave labor in the West.

Texas, initially, created a diplomatic corps with two missions—gain diplomatic recognition AND obtain loans. Diplomatic recognition was as important then as it is today. In order to maintain sovereignty, a nation must have diplomatic recognition from other governments. Diplomatic recognition is required for crucial commercial treaties. Texans produced cotton and they needed foreign markets in which to sell it. Texas diplomats set out to ensure that foreign markets would be open to Texas trade. Because all of the diplomats that Texas sent abroad were WHITE slave-owners, I argue that they pushed their own self-interest through slave diplomacy. I discuss these diplomats alongside the stories of slaves whose lives were impacted by decisions that took place on a global stage. Diplomacy was not simply a story of white diplomats. Although the main actors were white, at every point in this history there was a link to black people—enslaved or free.

This study links diplomacy and slavery in an effort to understand the westward expansion of slavery and examine the slave trade in the Gulf Coast Region. There is a symbiotic relationship between diplomacy and slavery, which other historians have relegated to a side issue, and focused instead on the economic importance of cotton. Upon independence in 1836, Texas was the largest slave-holding territory in the region.

⁴ Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War* (New York: Oxford University Press, 1995), 73-103.

Through a diplomatic lens, slavery became an international issue when rumors emerged of Texans' re-opening the African slave trade. This work examined the actions of five diplomats, Stephen F. Austin, Sam Houston, J. Pinckney Henderson, Charles Elliot, and Isaac Van Zandt. What is evident is the diplomat's direct link from the sitting rooms of plantations to European palaces and meetings at the White House. The diplomacy of the Republic of Texas was built on slavery.

Stephen F. Austin protected slaveholders' rights on an international stage. In navigating Mexican law as an Anglo-Texan *empersario*, he advocated for fellow colonists to retain their slaves, when the Mexican government tried to prohibit slavery. From the sale of his father's slave, Richmond, in 1824, Austin assisted in creating legislation to legalize slavery in Texas and open the West to slavery.

Sam Houston's association with slavery seems to be erased when he sided with the Union following Texas' secession from the Union in 1861.⁵ Yet, his call to wealthy settlers to come to Texas in 1836 ushered in the most significant numbers of slaves in the territory. His everyday encounters with slaves, crossing the street, seeing men and women bought and sold, reinforced the banality of slavery. As president, he was the country's most active diplomat. When annexation stalled, he fought to maintain Texas' sovereignty through the production of commercial crops, including cotton and sugar. Randolph Campbell and Andrew Torget highlight the importance of cotton and slavery

⁵ Dale Baum, *The Shattering of Texas Unionism: Politics in the Lone Star State During the Civil War Era*, (Baton Rouge: Louisiana State Press, 1998), 7-45. Houston's decision to side with Unionism over secession was a costly one, personally and politically, as it divided his family. His son, Sam Jr., chose to fight for the Confederacy. When Houston refused quite publicly to swear an oath to the new government, Texans vacated his office and replaced him. Politically exiled, he returned to his East Texas plantation, Ravenhill, where he spent the rest of his life.

in Texas.⁶ Without diplomacy, I argue, cotton would have rotted in Galveston Bay. With diplomatic recognition, Houston sought commercial treaties. These treaties allowed Texas merchants' ships to enter in signees' docks for set fees. These commercial treaties were conditional and contractual.

The legality, expansionism, and suppression of slaves in Texas and the Gulf Coast Region had wider international consequences. J. Pinckney Henderson, the first Texas diplomat to Great Britain and France, underestimated the significance of slavery to the politics of both countries. He tried to "silence slavery" by boasting of Texas increasing production of cheap cotton. When one reads the diplomatic record, the word slavery very seldom appears before 1840. However, odd cases popped up, such as the issue of five black British subjects sold into slavery. Here was a case where families learned diplomatic and legal language to free their families. The issue of slavery predominated over global issues.

This study highlights the strengths and the limits of the international abolition movement, particularly in suppressing the illicit slave trade. As an abolitionist in a slaveholding republic, Charles Elliot had to perform a balancing act. Realizing he would not gain significant victories, he accepted symbolic ones. While he assumed these gestures would gain him the goodwill of Texans in their dealings with Mexico, he soon found out otherwise. By not taking a stronger stance against slavery with the backing of Great Britain, he failed to stop, limit, or hinder the number of slaves entering Texas. Elliot's unwillingness to push for meaningful abolitionist legislation was a significant

⁶ Randolph Campbell, *An Empire For Slavery: A Peculiar Institution in Texas, 1821-1865* (Baton Rouge: Louisiana State University Press, 1991), 30-50 and Andrew Torget, *Seeds Of Empire: Cotton, Slavery, and the Transformations of the Borderlands* (Chapel Hill: University of North Carolina Press, 2015), 1-30.

misstep. Although Elliot is significant in the story of Texas diplomacy, he is but a small part of the larger international abolition movement led by black and white abolitionists. The British government was more concerned with curtailing the spread of slavery and the slave trade than with mediating peace between Texas and Mexico.

With the help of the plantation elite in the Gulf Coast Region, annexation was a foregone conclusion. While statehood was the goal, the existence of slavery hampered negotiations. However, the planter elite drove an economy built on slave labor, which in turned aided the cause of statehood. Diplomats' fight for liberty, the pursuit of happiness, and statehood was predicated on the maintenance of slavery. Diplomacy, built on the back on slaves, fought to keep the privilege of owning slaves.

After a contentious nine year fight for annexation, Houston conceded, in a celebratory speech, that even he, at one point, had squinted "to the future extinction of slavery in Texas" as the means for Texas to achieve statehood.⁷ After annexation, the United States took over diplomacy in this region and quickly became embroiled in the border dispute between Texas and Mexico. The diplomacy, discussed in this dissertation, disappears until the South seceded and the Confederacy appointed diplomats.

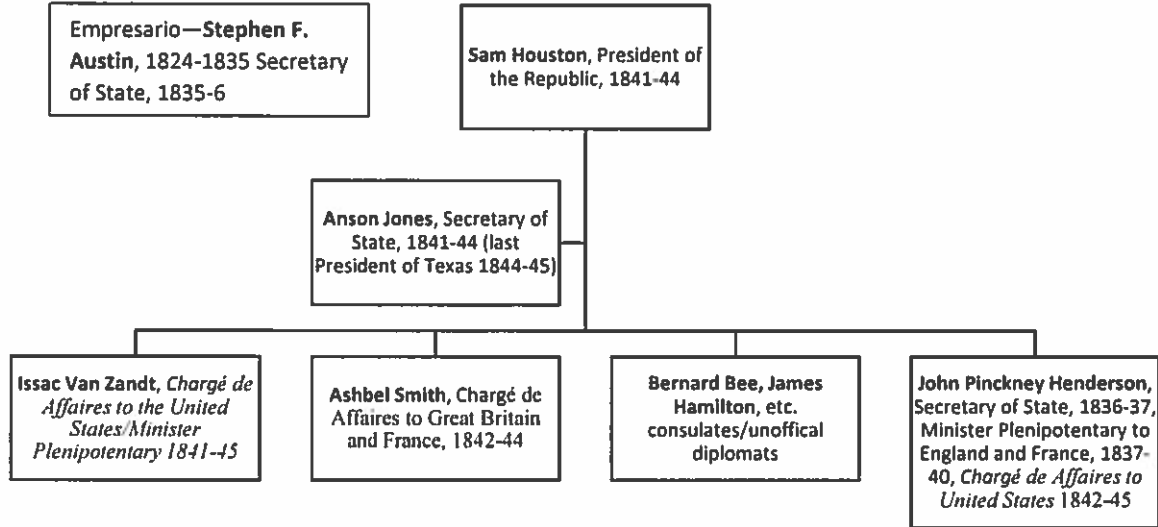
By 1860, Texas, following the lead of other southern states, seceded. While many would like to argue that the Civil War was fought because of states' rights, Texas clearly wrote in the Texas Declaration of Causes that they left the Union to maintain and protect the "institution known as negro slavery—the servitude of the African race to the

⁷ "A Review of the San Jacinto: A Speech at Houston in the Summer of 1845," *The Writings of Sam Houston*, edited by Eugene Barker, 12.

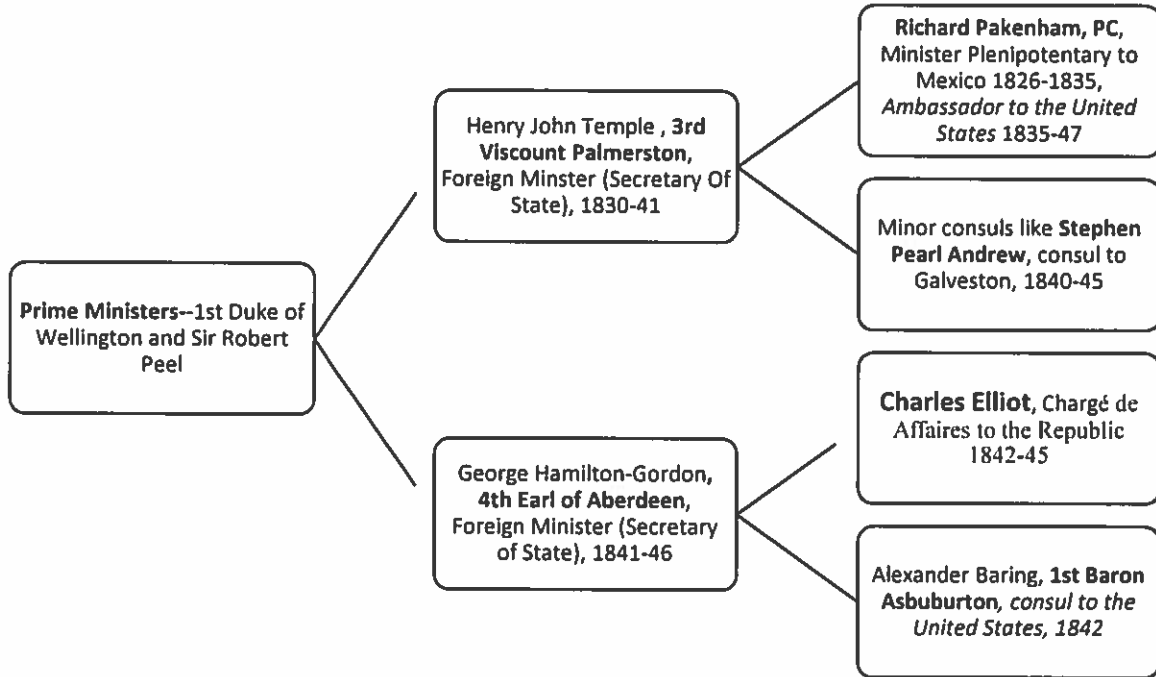
white race within her limits—a relation that had existed from the first settlement of her wilderness by the white race, and which her people intended she should exist in all time.”⁸

⁸ Ernest William Winkler, ed. *Journal of the Secession Convention of Texas 1861* (Austin: Texas Library and Historical Commission), 61-65.

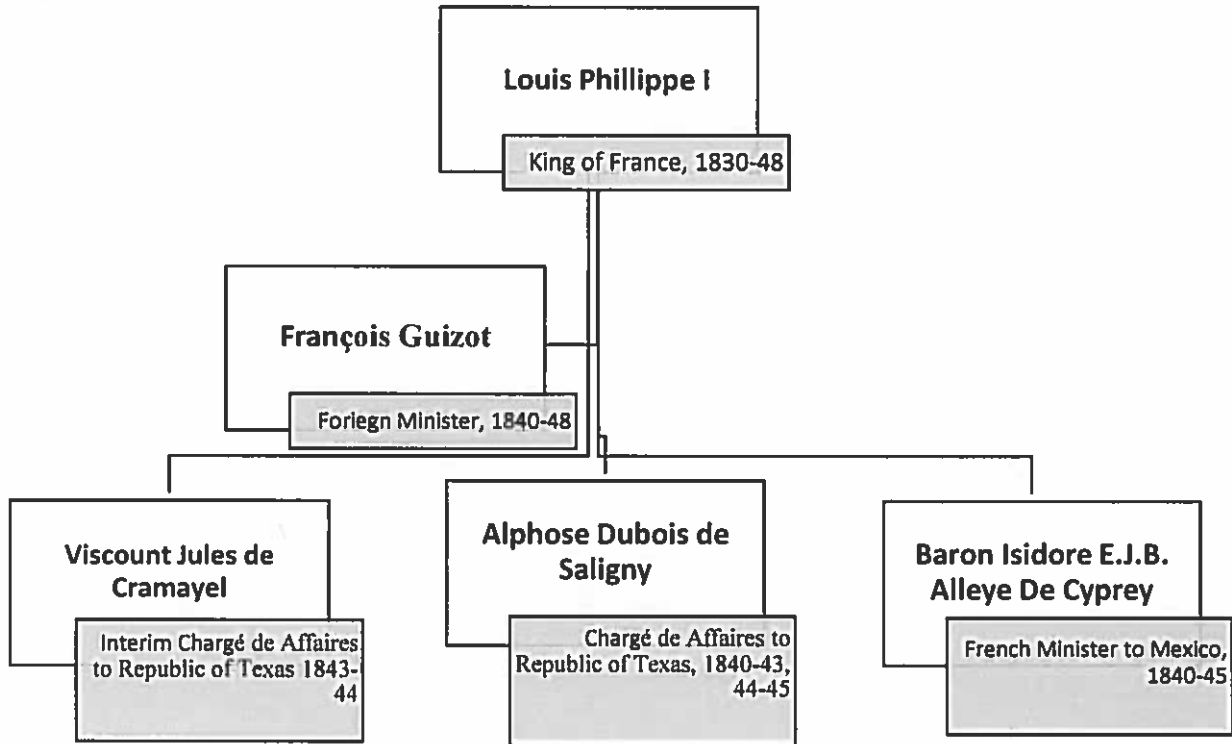
Appendix A
Republic of Texas Diplomatic Corps



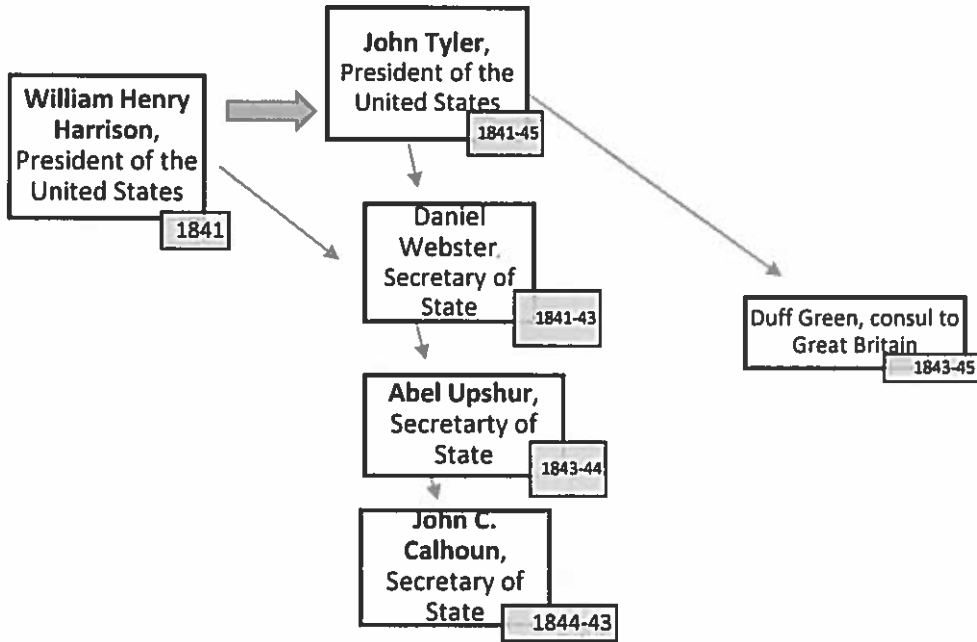
Appendix B
Great Britain Diplomatic Corps



Appendix C
Republic of France

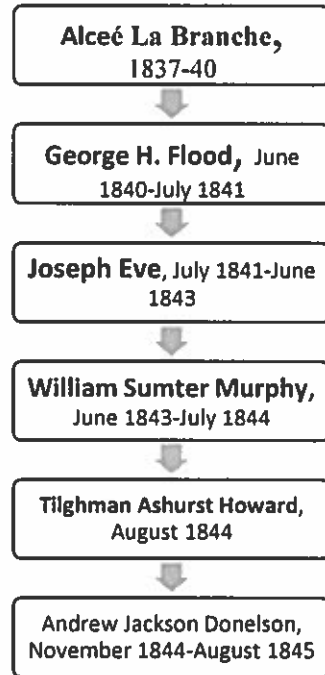


Appendix D
United States Diplomatic Corps



Appendix E

List of United States Chargé de Affaires to Texas



***Credit: United States' Department of State, Office of The Historian

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Robert Mills Papers

University of Texas for American History, Austin, Texas
Stephen F. Austin Papers
Ashbel Smith

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County-level census statistics: <http://www.fisher.lib.virginia.edu/census>
Freedmen's Bureau records: <http://www.freedmensbureau.com>.
The Handbook of Texas Online: <http://www.tsha.utexas.edu>
The Transatlantic Slave Database: <http://www.slavevoyages.org/>
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