STATE RIGHTS IN TEXAS:
THE GROWTH OF AN IDEA, 1850-1860

BY

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A THESIS
SUBMITTED TO THE FACULTY
IN PARTIAL FULFILLMENT OF THE
REQUIREMENTS FOR THE DEGREE OF
MASTER OF ARTS

Houston, Texas
May, 1960
TO
FRANK E. VANDIVER
AND THE
OFFENSIVE DEFENSE
The Northern parade passed with steady cadence; occasionally it would stumble into chugholes, but the march continued. Hoisting banners high, the multitudes tramped down the road of the nineteenth century. If at times the path more closely resembled an obstacle course, it was because the terrain was unfamiliar. It was because to reach the end of the road, the Northern paraders had to cross hostile ground and urge—no, force—their Southern brothers to join them.

But the Southern brothers were reluctant. The paraders insisted on shouting words unpleasing to the spectators' ears—industry, freedom, equality, higher law, Union, one and inseparable. As each shout rang through the air, the onlookers shuddered with disgust. Still they preferred to stand beside that road and watch the relentless parade. In fact, the Southern bystanders would rather parry with words than join that abominable parade; and they would thrust with swords before they joined it.

The parade was on its way to Sumter and getting there was difficult because the men who peopled that area south of Mason and Dixon's line had ingeniously
erected a maze of defenses. This paper is the study of one defense, State Rights, as employed by one state, Texas, against two formidable threats on two separate occasions.

State Rights was not a new concept. Incorporated into the tenth amendment to the Constitution, State Rights referred to all rights not delegated to the federal government or prohibited to the states. But there were two major variations of the theme. One was Thomas Jefferson's doctrine of a rigid division of powers between state and central government. The other was John C. Calhoun's principle of absolute state sovereignty since sovereignty itself was indivisible. To most Southerners, however, these differences were minor; State Rights was State Rights, Jefferson and Calhoun notwithstanding.

State Rights was an abstraction, a mere term tossed in the air when winds were unfavorable to the South—or to any minority section, for that matter. But behind the abstraction lay two very real, and to the ante-bellum South, very desirable facts: the confederate system of government and the strict construction of the Constitution. The South, rapidly becoming a minority section, utilized
this State Rights theory against various threats; Alien and Sedition laws, protective tariffs, abolition, Republican victory, even industrial materialism. It also employed the theory to defend and protect certain social, moral, and political values and an economic system.

Owing to more frequent and turbulent slavery agitation, State Rights was used to vindicate the "peculiar institution." Southerners not only believed that the Constitution recognized slavery and gave the states power to control it, but that the Constitution pledged to protect slavery in both state and territory. Therefore, since slavery moved to the center of the State Rights stage and since slavery was a Southern phenomenon, the State Rights theory became, for all intents and purposes, a Southern Rights theory. As the threats changed, the form changed; the idea, State Rights, remained fixed.

Because Texas was a new state in 1850, having only been annexed in 1845, it had not solidly aligned with Southern political thought which was rapidly focusing on slavery. Certainly Texas possessed a Southern heritage, but the political manifestations of that tradition had not yet solidified. Hence, in 1850, when the South was primarily concerned with the annoying issues of fugitive slave laws and slavery in the District of Columbia, Texas
Iv was engrossed in its own problem of a boundary dispute with the United States. The threat at that time rested in the federal government's "usurpation" of Texas rights; Texas, in turn, proclaimed its sovereign rights to New Mexico. And finally, Texas relinquished those rights for a much-needed $10,000,000.

In Chapter II, I have tried to show the development and organization of the Democratic party in Texas. Free from outside threats, the state could concentrate on its political and economic growth. Organizing the Democracy, traditionally the party of State Rights and strict constitutional construction, consumed much of the Texans' political energies. Even the anti-Democratic forces worked vigorously to develop their own parties and thereby thwart an entrenchment of the Democracy. In fact, it was largely due to Whig and Know-Nothing opposition that the Democratic party in Texas finally molded itself into a forceful, competent political machine.

The incipient shift to Southern thought on slavery can be seen in the second chapter in the discussions on Democratic platforms, state and national elections, and the railroad issue. The alignment with Southern defensive thought, however, reaches its climax in Chapter III. Here, also, Texas' union with the Southern states is
demonstrated. The move to join the South was evident by 1857 and although it never halted, Sam Houston's election as governor in 1859 briefly decelerated the movement.

In addition to the grievances against the federal government and the abolitionists-Black Republicans which it shared with Southern states, Texas also had a private grievance to air. The federal government had failed to protect the state's frontiers against Indian raids, so that Texans easily added this to their long list of aborted constitutional guarantees. In essence, the Indian depredations and the federal government's failure to cope with them simply provided another post on which to hang a State Rights hat.

Thus it is my thesis that State Rights in Texas referred to three things: first, in 1850, State Rights was Texas rights proclaimed against federal encroachments and propounded by men still infused with Texas nationalism; second, in the mid-fifties, when Texas was confronted by no powerful external threat, State Rights was but the traditional Democratic doctrine of private enterprise, individual and state sovereignty, and reserved constitutional rights; third, in 1857-1860, when Texas and the South were faced with unsympathetic, aggressive, abolitionist,
majority opposition, State Rights became an insignia for Southern Rights.

My feeling has been that Texas history, especially in this decade, has too long been neglected. In fact, to my knowledge, no one has treated this topic of the transitional nature of State Rights. Therefore, I believe that to synthesize the decade in Texas by way of at least one subject, is in order.

That the role of Texas from 1850-1860 was played on a much larger and more complicated stage has been recognized, if at times tacitly, throughout the study. And it is my hope that this thesis will help close two gaps: first, that vital but unilluminated period of Texas history between annexation and secession (both of which have already been adequately studied); and second, the "whys" and "wherefores" of Texas' alignment with the South.

My gratitude and appreciation are extended to the Rice history department for research funds, and to the staffs of the Rice Institute Library, the Rosenberg Library, and the Barker Texas History Center at the University of Texas for their assistance in tracking pertinent primary source materials. I am, of course, indebted to Drs. Frank E. Vandiver, William H. Masterson, and Trenton
W. Wann, my advisory committee, for their many suggestions and valuable time. Nor can I forget my roommates who listened and suffered with me. Finally, Ann Hebert and my parents, Mr. and Mrs. J. L. Head, always managed to boost my morale in times of stress; to them I cannot say enough.
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CHAPTER I

TEXAS AND TEXAS RIGHTS

Texas, self-proclaimed "Empire State of the South," sprawled from the Red River southward to the Rio Grande, from the Gulf of Mexico westward to the Rio Grande. Vast expanses of fertile farmland, arid desert, coastal plain, and mountains were topped by the Lone Star banner. Scattered settlements marked the regions to the ninety-eighth meridian where Nature herself checked the pioneers' quest for land. Lack of rainfall, of tested agricultural methods, and of transportation facilities left the Edwards Plateau, the North Central Plains, and the Western High Plains--more than half the state--without farmer, planter, herdsman, politician, or slave in 1850.

Texas, was a land of contrasts--piney woods in the east, scrub mesquite in the west, plantations along the lower Brazos, Colorado, and Trinity rivers, smaller yeoman farms inland. Living in East Texas and on the Gulf coast were people of predominantly Southern heritage and culture; confronting them were recently transplanted Germans, the ancient race of Mexicans, and small farmers and artisans from the midwestern and the old
northwestern United States. This new state possessed characteristics of the old South and of the new West. Moreover, it had only recently been the Republic of Texas, a sovereign nation among sovereign nations. With bravado, with real determination, Texas had gained its independence from Mexico. With energy and stamina Texas had lived its life as a Republic. With resolve and vigor Texas relinquished its national independence to become a sovereign state in a federal union.

Texas was the South's frontier. As far as the ninety-eighth meridian rich, damp, black soil provided a real windfall to the former Alabama or Mississippi planter who had, for years, carelessly robbed his native acreage of its fertility. Land was cheap and plentiful, so the South sent its sons to Texas and with them, a way of life. Quite naturally that way of life included the plantation system, so long the mainstay of Southern agricultural economy; the Southern way of life also meant slave labor, the peculiar institution, as Southern as muggy climate, a drawl, the cotton boll, or corn whiskey. The immigration has been so rapid that by 1850 Texas had 154,034 freemen and 58,161 slaves.¹

¹Barnes F. Lathrop, Migration into East Texas, 1835-1860 (Austin, 1949), 25, quoting from J. S. U. Le Bow,
If the belief that "cotton is king" prevailed elsewhere in the South, it would also reign in Texas. In fact, it seemed that the bottomlands of the Brazos, Colorado, and Trinity rivers were placed there according to some great plan—a plan for a cotton kingdom. The cotton yield in 1849 was 58,000 bales; but the yield in 1859 would be 431,463 bales—an increase of 644 per cent.

As J. D. B. De Bow wrote, there were opportunities—at least, for growing cotton—in Texas.

Although cotton was definitely the money crop, it was not the only crop in Texas. Corn and sweet potatoes were indispensable staples easily grown in virgin soil from the Gulf north to the Red River. Nor was sugar cane cultivation unknown. Abundant, partly fertile, inexpensive lands, sparse population, meager labor force—

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Statistical View of the United States, Embracing its Territory, Population—White, Free Colored, and Slave—Moral and Social Condition, Industry, Property, and Revenue; the Detailed Statistics of Cities, Towns, and Counties; Being a Compendium of the Seventh Census, To Which Are Added the Results of Every Previous Census, Beginning with 1790, in Comparative Tables, with Explanatory and Illustrative Notes, Based upon the Schedules and Other Official Sources of Information (Washington, D. C., 1854), 308-309.

2 Eugene C. Barker (ed.), Readings in Texas History (Dallas, 1929), 411.

3 See De Bow's Review for 1850-1852. The editor included at least one article in every issue on the resources and
all traits of a frontier—characterized the state in 1850.

The social picture of eastern Texas in the early 1850's was similar to the economic scene, for at the basis of both lay the plantation system and slavery. Emigrants, with their institutions and property, abandoned worn-out lands in Virginia, South Carolina, the Gulf States, and journeyed to Texas. Some went overland in wagons or on foot while others sailed to Galveston and then up Buffalo Bayou to the Harrisburg landing. Upon their arrival, doubtless they traveled in the same muddy ruts and tarried at the same dirty, ramshackle inns which welcomed Frederick Law Olmsted when he visited Texas in 1855.5

The magnificent, white-pillared homes sentimentally identified with the ante-bellum South were seldom found in Texas during the decade of the fifties. Instead, 

opportunities in Texas. His theme was "Commerce Is King." Hence, if commerce could be enhanced by dynamic growth in Texas, the South would benefit.

4See Walter Prescott Webb, The Great Frontier (Boston, 1952), chapter 1, for an illuminating survey of what constitutes a frontier.

5See Frederick Law Olmsted, A Journey Through Texas (New York, 1857). Olmsted continually noted weather, road, and "hotel" conditions throughout Texas.
farmers, great and small, lived in houses only slightly superior to those built in colonial America. The most popular was called the dog-run house (double log cabin). With gabled roof and long front porch, the house had two rooms separated by a dog-run which readily served as guest room in the warm summer months and catchall during the winter. Due to the constant fire hazard, kitchens and slave quarters, if there were any slaves, were erected apart from the main cabin.

Amusements, like homes, were uniform throughout rural Texas, as frontier conditions admitted little social distinction. Common to all people were quilting bees, house raisings, and wolf or bear hunts. Nor was patriotism confined to a few; rustics and townsmen alike, celebrated July 4, March 2, and April 21 with barbecues, hard liquor, and horse racing—"sport of kings" in Europe, but popular in every level of Southern society.

Identical houses and recreation, comparable frontier conditions, and varying degrees of isolation marked all rural Texans. But there were distinctions in the social pattern. What denoted the respectable leader? If lives

were similar in this frontier culture, what caused the emergence of a real social structure?

Striking contrasts endured in the sea of homogeneity despite the Southern heritage and ideal, because that uniformity rested more in dreams than in reality. Even in a frontier, the size of the plantation and the number of slaves could and did set a man one rung above his fellows. At least 25,000 persons in 1850 listed their occupation as farming; no doubt there were many more who farmed.

All farmers, however, did not own slaves and consequently held lower social and economic status. Of the 21,878 slaveowners in Texas in 1860, only 2,163 owned twenty slaves, while only fifty-four owned one hundred or more slaves. Although a small percentage, this limited group exercised an influence far out of proportion

7Ibid., 210.

8Ashbel Smith of Galveston, a physician by profession, was an outstanding example of the man for whom farming was simply an avocation. He employed an overseer to help him manage a large coastal cotton plantation. In conjunction with farming, Smith was an advocate of new scientific agricultural methods. See Ashbel Smith Papers, 1850-1860, Archives Collection, University of Texas (hereinafter cited as Smith Papers).

9Richardson, Texas, 220.
to their numbers. They were the bearers of a culture, the custodians of an ideal. What mattered to the planters, and to all who dreamed of imitating them (and nearly all so dreamed), was cotton, growing white and tall on a plantation large enough to require black labor. What mattered to them was the code, call it chivalry or romanticism or noblesse oblige—still it was way of life. It meant holding one's liquor, honoring and idealizing one's woman, understanding one's blacks, justifying one's actions, respecting one's fellows, believing one's politics, and worshipping one's god—whatever god it might be. "O, this chivalrous South is a great country!," wrote a transplanted Pennsylvanian in 1852. "I love it and believe I shall love it better still."10

Slavery and the economic system and social structure which accompanied it were firmly anchored in the populous eastern counties along the Sabine, Trinity, Brazos, and Colorado rivers. These eastern settlers contributed the ideals and influenced the destiny of Texas; they did not, however, comprise the only cultural group within the state. To the west, and running south through the middle of

10John P. Osterhout to Orlando Osterhout, May 24, 1852, in John Patterson Osterhout Papers, Rice Institute Library (hereinafter cited as Osterhout Papers).
Texas were the frontier counties, home of the small farmer or herdsman who devoted himself to producing foodstuffs or raising stock rather than cultivating staples. That these small farmers owned a meager proportion of slaves simply indicated that they were unable to own more—not that they opposed slavery.

The isolation, the transportation problems which confronted the eastern farmer persisted in the west. In fact, the plight of the western farmer was more severe. Roads were fewer and muddier; wagons hauling lumber or corn to Houston from Chapel Hill often sank axle-deep in the waxy ooze. Rivers were almost unnavigable except during the spring freshets. And, when the chilly blue northerners swept the state, the small western farmer could do little more than stare through the chinks of his log cabin, awaiting spring when he and his family, who comprised his labor force, would plow the cornfield or plant the sweet potatoes.

The eastern planter, "the proprietary class," Olmsted said, regarded his western neighbor as "white trash,"

11 Nevertheless, the westerner's ambitions and ideal paralleled those of the eastern Texan. The westerner, too,

11 Olmsted, Journey Through Texas, 439.
had immigrated, usually from the southern tier of states, bringing with him every possession—sometimes not much, but always everything. To realize his dreams would prove more difficult simply because he started with less. Poor he may have been, but never "poor white trash."

The frontier state, however, was not of pure American vintage. Within its extensive borders dwelt Mexicans, among whom were the "grandees," haughty, proud, defeated. The peon still hauled his cart of wares through the streets of San Antonio; at one o'clock when the Texas sun was very hot and very high, he still insisted on taking his "siesta" on the plaza. Ignorant and indolent, he was like soft clay in the hands of an astute politician. But the Mexican's importance in Texas during the early 1850's was negligible; it was the reaction to his presence which attained significance during the later years of the decade.

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12 Lathrop, Migration into East Texas, 55.


14 The political reaction to the Mexican (and the German) will be treated in a later chapter dealing with the emergence of the Know-Nothing party in Texas.
Of the foreign elements within the state, the Germans were undoubtedly the most conspicuous. As early as 1830, Stephen F. Austin had considered the project of inducing German immigrants to come to Texas. Their industry and character so impressed him that he once remarked, "they have not in general that horrible mania for speculation which is so prominent a trait in the English and North American character, and above all they will oppose slavery."\(^{15}\)

Chaotic conditions in Europe—especially the revolutions of 1832 and 1848—caused many Germans to emigrate to Texas. In fact, by 1860, 20,553 of them lived in the state, and they constituted 3.4 per cent of the total population.\(^{16}\) Dreaming of social advance, increased economic activity, and political freedom, the Germans

\(^{15}\)Rudolph L. Biesele, The History of the German Settlements in Texas, 1831-1861 (Austin, 1930), 26, quoting from Eugene C. Barker, The Life of Stephen F. Austin, 254. Austin himself opposed slavery on principle, but as will later be shown he was only partially correct in his belief that the Germans would oppose the institution.

\(^{16}\)Ibid., 191, quoting from Joseph C. G. Kennedy, Population of the United States in 1860 (Washington, D. C., 1864); iv, xxix. For a comprehensive account of the German population and influence in the United States during the nineteenth century, see Ernest Bruncken, German Political Refugees in the United States during the Period from 1815-1860 (Milwaukee, 1904); and A. B. Faust, The German Element in the United States with Special Reference to its Political, Moral, Social, and Educational Influence (Boston, 1909).
entered Texas to find a virgin wilderness, still a wilderness with opportunities.

Tireless industry keynoted the Germans' new life in Texas. Olmsted, concerned with the condition of the Germans, observed that their cabins in New Braunfels, Fredericksburg, and Sisterdale, were the sturdiest and tidiest he had seen in the state. Friendly and hospitable, the German settler freely offered to share his table with Olmsted—a table laden with appetizing foods the likes of which Olmsted had not tasted since the inception of his cornbread-molasses-salt pork diet. Although most of these settlers were exceedingly poor, as a group they were thriving. With regard to slavery, Olmsted remarked that:

As fast as they acquired property, they followed the customs of the country and purchased slaves, like other white people, even Northern men, who invariably conquered their prejudices when they came here to settle and found their practical inconvenience.

17 Olmsted, Journey Through Texas, 140-147.

18 Ibid., 133. An Ohioan traveling in Texas asked a Frenchman what the Germans thought about slavery. The Frenchman replied that in theory the Germans were against it, but that all of them bought slaves as soon as their means would permit. See Ophia D. Smith, "A Trip to Texas in 1855," in Southwestern Historical Quarterly, LV (1952), 448-459.
This complex of cultures—American, Mexican, German—abided together on the frontier. Variety persisted. There were the Mexicans, lowly and submissive, who cared little about their new political home; and the Germans, residing mostly in the western counties of Gillespie, Comal, and Medina, who generally segregated themselves geographically and culturally. Despite the diversity of cultures and the resistance to homogeneity, standards were set by the American, or rather the Southern, settler. But social status and economic condition composed only half of the Texan's life. Psychologically his ideals, his thought patterns were Southern. What of his political life and loyalties?

After the advent of the Virginia and Kentucky Resolutions, many Virginians had considered themselves arbiters of State Rights, continually championing the sovereignty of the Old Dominion. And in South Carolina, following the nullification crisis of 1832, the emergence of a distinct Southern national identity could be observed.\(^\text{19}\)

John C. Calhoun had expounded a political logic

\(^\text{19}\)See Chauncey S. Boucher, Nullification Controversy in South Carolina (Chicago, 1916); Jesse T. Carpenter, The South as a Conscious Minority (New York, 1930); Avery Craven, The Growth of Southern Nationalism, 1848-1861 (Baton Rouge, 1953); David Franklin Houston, A Critical
which permeated the South Atlantic and Gulf states. So inbred was the political philosophy to which Calhoun adhered that the Southerner carried it with him whenever and wherever he moved. In fact, that State rights philosophy seemed to be the natural defensive weapon of minority sections. And no matter that Texas was a new state; the same political philosophy was implanted in Texas soil and inculcated in Texan minds. The traditional doctrine of State Rights, however, had purely local application in Texas. And the romantic nationalism with its harmonious cultural and intellectual overtones, which was steadily spreading through the South, halted at the Sabine River. Because, in 1850, when the young frontier state encountered its first crisis with the federal government, it was to Texas rights and Texas nationalism the state turned.

Events had moved rapidly in Texas. Fourteen years ago. . .Mexico, cruel and despotic. . .The Alamo. . .

Study of Nullification in South Carolina (New York, 1908); and Rollin G. Osterweis, Romanticism and Nationalism in the Old South (New Haven, 1949). Osterweis, in particular, deals with the theme of a Southern cultural nationalism; the southwestern aspects of the movement are stressed in chapters XI - XIII.

State Rights, Calhoun's political philosophy, and its effect on the minority-conscious South are discussed in the introduction to this thesis.
Sam Houston. . .Indian raids. . .Mirabeau Lamar. . .Land
claims. . .Settlers and settlements. . .Old loyalties. . .
At last Statehood. . .And so the Republic faded.

Joining the United States in 1845, Texas had hardly
tasted the doubtful benefits of union before it was sum¬
moned to meet the traditional Mexican foe at Resaca de
Palma and Chapultepec Castle. It was to certain events
developing out of the Mexican War that Texas owed its
initial disillusionment with the Union.

The problem of boundaries was among the first questions
to be broached by the Texas Congress in 1836. That con¬
gress established the boundaries of the state as follows:

Beginning at the mouth of the Sabine River and
running west along the Gulf of Mexico three leagues
from land, to the mouth of the Rio Grande, thence
up the principal stream of said river to its
source, thence due north to the forty-second
degree of north latitude, thence along the bound¬
ary line as defined in the treaty between the
United States and Spain to the beginning.21

Such a boundary, however, intruded upon the territory of
some neighboring Mexican states. These encroachments
proved the source of considerable dispute; nonetheless,

21William C. Binkley, The Expansionist Movement in Texas,
1836-1850 (Berkeley, 1925), 27, quoting from Laws of the
Republic of Texas, 1 Cong., 1 sess., 133-134.
the Texas annexed in 1845 was the Texas with the boundaries stipulated in the act of 1836. Because of boundary claims conflicting with Mexico's, the Texas government wanted the United States to assume responsibility for settling boundary questions; consequently, one item in the joint resolution for annexation stated that all questions concerning the Texas boundary which might arise with other governments would be adjusted by the United States. Believing that a boundary settlement hinged on the defeat of Mexico, Texas joined the war effort in 1846. But hopes for an expeditious and favorable settlement were almost immediately impeded.

Dreaming of Manifest Destiny—a fashionable dream in the 1840's—President James K. Polk began formulating plans for the conquest of California and that part of New Mexico not claimed by Texas. That Mexico should, through practical necessity, cede these areas was implicit in Polk's design. Hence, to force the cession, he instructed General Stephen W. Kearny to establish temporary

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23 Binkley, Expansionist Movement in Texas, 142.
military governments in California and New Mexico as soon as was practicable.

General Kearny quickly organized a territorial government in New Mexico, in the midst of an area already subject to a state government. Texas reacted instantly. Had the United States violated the "compact of annexation"? If Polk assumed the Rio Grande was the Texas boundary, it was equally valid to assume that Santa Fe belonged to Texas.\(^2^4\)

Unable to believe the reports he was receiving, Governor J. Pinckney Henderson wrote Secretary of State James Buchanan for information regarding the "rumor" that the general government had extended jurisdiction over a part of Texas. Quite naturally Henderson included a protest against any federal action which might interfere with Texas rights, but concluded in a somewhat conciliatory manner:

> Inasmuch as it is not convenient for the State at this time to exercise jurisdiction over Santa Fe, I presume no objection will be made on the part of the government of the State of Texas to the establishment of a territorial government over that country by the United States, provided it is done with the express admission on their part that the State of Texas is entitled

\(^{24}\)Ibid., 149, quoting from Niles' Register, LXXI, 305.
to the soil and jurisdiction over the same, and may excuse her right whenever she regards it expedient.25

Polk, replying to Henderson, assured him that the government in New Mexico was a temporary one, established to preserve order and protect rights, and would automatically surrender its jurisdiction upon the conclusion of peace. Texans, apparently satisfied with the explanation, awaited the war's end and the peace which would restore their irrefutable sovereignty over the New Mexico region.

Victory and peace finally came. The Treaty of Guadalupe-Hidalgo, ratified in 1848, settled the first boundary question for which Texas had given the United States responsibility. Mexico, probably because she had no alternative, revoked all rights to the territory claimed by Texas under the boundary act of 1836. At last Texas, a slave state, was free to organize its western limits. The state, however, was unaware that the next two years would involve it in sectional strife aggravated by the fact that a portion of its domain extended north of the Missouri Compromise line.

New Mexico, however, was hostile to the peace settlement. If she lacked enthusiasm for United States control, her attitude towards Texas was one of absolute disdain. Unfortunately, neither Texas nor Congress, in whose hands the power of territorial organization lay, were prepared to inaugurate any form of government in the New Mexican provinces. Hence, there was no choice but to leave the United States army in control—either that or suffer anarchy.

In the meantime, George T. Wood, who had succeeded Henderson as governor, fearing that the rights of Texas were being usurped, attempted to extend civil and political jurisdiction over the Santa Fe region. In addition, Governor Wood requested that the general government instruct its officers at Santa Fe to assist the Texans in organizing the region, for, in his opinion, the "United States government was simply an agent and trustee for Texas, and as such it could not acquire a right to any territory within limits even claimed by Texas."27

26 Among the legislative acts directed towards Santa Fe County was one allowing a representative to the Texas house, another establishing the eleventh judicial district, and a third, appointing Spruce M. Baird judge with the duty of organizing the new county. See Binkley, ibid., 158.

27 Governor Wood to President Polk, October 6, 1848, in Binkley, ibid., 159.
But Wood's attempts to organize the Santa Fe region were totally unsuccessful. With the New Mexicans grimacing at any suggestion of Texas control, the military government stayed on. Despite this setback, economic considerations encouraged Governor Wood to further boldness. Texans had long been interested in interior trade with the New Mexicans; moreover, since the annexation treaty permitted the state to retain its public lands, Texas naturally aimed to possess as much area as possible. Thus as economic motives merged with political principles, Wood recommended, late in 1849, that the governor be given ample power and means to demonstrate, not with argument, but with the full "resources of the State," the validity and justness of Texas' claim.

The governor's furor had apparently gripped the entire state. Indicative of the fiery climate of opinion was this editorial from the State Gazette:

Texas must assert her claim to her whole limits, as defined by her statutes previous to annexation, or she can no longer be entitled to the rank of a sovereign state. If her domain is to be severed and formed into separate states without her consent, she sinks into the rank of a mere territory. If such was the desire of the general government previous to annexation, the fact should have been made public, and the

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28 Austin State Gazette (weekly), November 10, 1849.
people of Texas in voting for 'annexation and its contingencies' would have rejected a territorial government even with a union to the mother country with utter contempt... The title of Texas to Santa Fe was as valid as its title to Point Isabel, Laredo, and the intermediate towns on the Rio Grande... Texas will maintain her rights... If the general government will place itself in the position that Mexico occupied before annexation, Texas will be forced by circumstances beyond her control to resume her old position. She was then at war with Mexico, and if the general government assumes the position of Mexico, Texas will be at war with her. The result is inevitable... We hope that the legislature will promptly comply with the recommendations of Governor Wood, and we are confident that the people of Texas will to a man sustain them with the whole resources of the state. The banner of the Lone Star shall again be unfurled—not for offense, but for defense, and those who were foremost to cry aloud for annexation will be foremost to sever the country from the Union that embraces but to crush and destroy.29

29 Frank W. Johnson and Eugene C. Barker (eds.), A History of Texas and Texans (Chicago, 1916), I, 496, quoting State Gazette, ?, 1850. See Walter Prescott Webb, The Texas Rangers (Boston, 1935), 129. Webb noted that Texans also chose that moment to complain about the federal government's Indian policies. The editor wrote of the State Gazette on October 6, 1849:

"No bride ever joined her fate to that of her lover with a holier, more pure, and less selfish zeal than that with which Texas has joined herself to the United States. No lover has ever treated his bride with more cruelty, cold-heartedness, and less feeling, that the United States has treated Texas. The want of protection, the scornful look, and the efforts to rob her of her dowry—all mark the faithlessness and deception of the lover!"

See also Binkley, Expansionist Movement in Texas, 215-217; Oran Milo Roberts Papers, 1850-1851, Archives Collection,
During the summer of 1850, Governor Peter H. Bell, Wood's successor, received word that the citizens of the Santa Fe region were planning to formulate a state constitution and apply for admission to the Union. Since the New Mexicans had openly defied the state government, Texans calmly but resolutely decided to enforce their claims with military power. A series of meetings were held throughout the state during June, July, and August at which time the predominant sentiments were voiced: When Texas was admitted into the Union, its people believed the boundaries of the Republic would be respected, and if they had been wrong, they would be as willing to leave the Union as they had been to join it. 30

Appreciating the gravity of the situation, President Millard Fillmore urged Congress to perform its function of reconciling boundary disputes and territorial problems. And in direct terms Fillmore, who alleged that New Mexico territory had never been an integral part of Texas, also threatened the Texans:

University of Texas (hereinafter cited as Roberts Papers); and Thomas J. Rusk Papers, 1850-1852, Archives Collection, University of Texas (hereinafter cited as Rusk Papers).

30Binkley, Expansionist Movement in Texas, 186.
If Texas militia march into any one of the other states, or into any territory of the United States, there to execute or enforce any law of Texas, they . . . are to be regarded merely as intruders; and if, within such state or territory, they obstruct any law of the United States, either by power of arms, or mere power of numbers, constituting such a combination as is too powerful to be suppressed by the civil authority, the President of the United States has no option left to him, but is bound to obey the solemn injunction of the Constitution, and exercise the high powers vested in him by that instrument and by the acts of Congress.31

Upon Congress, then, devolved the task of determining the boundary between Texas and New Mexico. The boundary problem and other perplexing issues culminated in the Compromise of 1850. And the congressional debates which eventually led to the Great Compromise consumed nearly a year—a year which saw Texas attitudes change from steadfast determination to diplomatic acquiescence.

In the view of Texans, all their territory was necessary in order to pay the public and private debt accumulated during the fight for independence and throughout the brief career of the Republic. Since all customs, duties, and receipts of the Republic were handed to the national treasury upon annexation and since the United States had specifically disclaimed any responsibility for

31 Congressional Globe, 31 Cong., 1 sess., 1-6.
the Texas debt, sale of the public lands was the only recourse to discharge these obligations. But neither Senators Thomas H. Benton nor Henry S. Foote, who introduced the first of the boundary resolutions, included any mention of remuneration for lands to be relinquished by Texas. On January 29, 1850, Henry Clay presented a series of resolutions which he hoped would solve all controversies growing out of the sectional slavery dispute, and among these was a proposal that the United States pay the Texas debt (contracted before annexation) and, in return, Texas waive all claims to any part of New Mexico. Thomas J. Rusk, Texas senator, gave notice that Clay's resolution was an "unceremonious effort" to dismember Texas "to make a peace offering to a spirit of encroachment on the constitutional rights of one-half

32 See Binkley, Expansionist Movement in Texas, 207-215. Generally speaking, the North, in its desire to restrict slavery, claimed that no territory outside the old Spanish boundaries belonged to Texas. The South, on the other hand, willing and anxious to spread slavery, supported extreme extension of the boundaries. As for Texas, she simply demanded recognition and confirmation of her rightful territorial limits.

33 Cong. Globe, 31 Cong., 1 sess., 244-245.
of this Union." Rusk also maintained that he would prove that "the boundaries of Texas are to the Rio Grande; that no power at all exists in Congress to take cognizance of that question." Some people in Texas were aware that their particular boundary problem had become trapped in the morass of slavery. Although the question of slavery expansion apparently did not receive widespread attention in Texas, its very presence created an atmosphere of belligerence. Secessionist voices echoed. There was even a whisper of Southern cooperation. J. Pinckney Henderson, former governor and one of the state's most Southern-oriented men, wrote to Ashbel Smith:

I am satisfied that the time has come when the whole South is called upon to stand firm together on the question of slavery--no yielding, no compromise (curse the word in politics) but meet them at the very threshold. My heart sickens at the dallying of some of our southern politicians--what better evidence do we want of the determination of the North to drive us into

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34 Clay's proposal would have meant a relinquishment of political jurisdiction by Texas as well as her title to the lands of New Mexico. Because part of these lands extended beyond 36°30', Rusk felt that Clay was suggesting that the United States pay Texas to relinquish her constitutional rights with regard to slavery.

base submission or resistance than we already have if they are sincere in their professions. . . . The North has already violated the hard and unwise compromise heretofore made and now Mr. Clay has the impudent effrontery to propose to us that we shall yield all the North now claims of us on this subject and calls it a "compromise" . . . This is the damndst [sic] outrage yet committed upon Texas. If the difficulty of submitting or separating from the North or fighting must come, let it come at once—we will never be better prepared to meet either than we are now.36

Came spring and rain and cotton, magnolias and oaks, specks of green and white towering out of black mud. The state waited—while insisting that New Mexico and the United States government had violated its rights, Texas waited. Resolution upon resolution was discussed, debated, then disregarded in Congress. Spring grew into summer—Texas summer, hot and humid. The politics were feverish—"Texas is reluctant to strike a blow which all political panaceas may not, yea cannot heal throughout future time, but she must and will have her rights."37 How much longer could the Texans wait? Creditors demanded payment, Henderson and O. M. Roberts demanded secession, or at

36 J. Pinckney Henderson to Smith, February 23, 1850, in Smith Papers.

37 John H. Moffett to Rusk, August 14, 1850, Rusk Papers.
least Southern cooperation, and Texans demanded their legitimate limits. Then on August 9, the United States Senate passed a bill which put settlement plans into motion.

Senator James A. Pearce of Maryland, believing that the Texas-New Mexico boundary dispute was the final obstacle to Clay's Great Compromise, introduced a bill which provided that

the boundary on the north should begin where the meridian of 100° west is intersected by the parallel of 36°30' north latitude, and run thence west to the 103d meridian; thence south to the 32d degree of north latitude; thence on that parallel to the Rio Bravo; and thence down to the channel of that river to the Gulf of Mexico.

In addition, for the reduction of its boundaries, cession of its territory, and relinquishment of its claims, Texas would receive $10,000,000.  

Reaction to the Pearce Bill in Texas was unfavorable. What appeared to be "compromise" was regarded as capitulation. John H. Moffett, writing to Senator Rusk

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38 See Roberts Papers. The letters dated August through October, 1850, contain many references to Roberts' secession sentiments. Roberts remained a secessionist throughout the decade and was elected president of the Secession Convention in 1861.

in Washington, said:

Those gentlemen [friends of Governor Bell] too are opposed to a sale of Territory to the U. S. under any circumstances. A dissolution of the union is evidently wished for, and contemplated by many persons in this State. There are many here who in times past either belonged to, or [were] mere appendages of the army, and depurate the quiet, and peacable [sic] life, by which our country's best interests are subserved. Their main purpose is to fan the flame of discord. The Signs of the time are ominous of Evil, which may heaven avert. In view of the action of the U. S. Congress for the purchase of a portion of our Northwestern Territory... I was told this morning that Governor Bell said he would not sell a bit of land as large as a handkerchief for a million of Dollars. So you see we have a peace and rabbid [sic] war party. 40

When Fillmore signed the Pearce Bill in September,41 Texans were still opposed to the measure. Newspapers throughout the state argued that the bill violated the terms under which Texas had agreed to enter the Union. On matters of principle, Texas must not submit.42 Henry

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40 Moffett to Rusk, August 28, 1850, in Rusk Papers.

41 See W. J. Spillman, "Adjustment of the Texas Boundary in 1850," in Texas State Historical Association Quarterly, VII (1904), 195, for a brief account of the voting on the compromise measures. Both the Northern and Southern extremists voted against the Pearce Bill; all the Texas congressmen--Thomas J. Rusk, Sam Houston, David S. Kaufman, and Volney E. Howard--voted for the bill.

42 A writer for the State Gazette (Austin), August 24, 1850, observed that if Texas accepted the Pearce Bill,
W. Sublett, in San Augustine, noted that political tempers in East Texas ran high. "I have not seen more excitement in a political way since the days of our Texas Revolution."43

The tempers and excitement, however, gradually relaxed. Wrote Sublett, "I am inclined to think... that public sentiment is beginning to settle down in favor of the $10,000,000." At first indignant at what he had considered a "bribe to Texas to betray the South," Sublett cautiously prepared to accept the proposition. "The truth is," he said, "I had no sort of doubt that the price offered is more than equivalent to the value of the disputed territory."44

Sentiment akin to Sublett's spread across the state. The La Grange Monument remarked that "it is not such a proposition as we could have wished to see, but it is doubtful whether ten years' trading would give Texas a better bargain than she can now make."45 The storm she would forsake control of the "only practicable pass, within the jurisdiction of the United States, for the great railroad to connect the waters of the Atlantic and Pacific."

43 Henry W. Sublett to Roberts, September 12, 1850, in Roberts Papers.

44 Ibid.

45 Binkley, Expansionist Movement in Texas, 216, quoting La Grange Monument, August 28, 1850.
seemed suddenly to have passed. Certainly there was no unanimity of feeling in regard to Pearce's Bill, but few, when they considered the $10,000,000, doubted that the bill would pass the legislature by a large majority. "Not that its supporters," wrote Sublett, "will be actuated from a desire alone to restore harmony and order to the country, but they will favor the bill] simply as a matter of State policy."46

The will of Texans was indicated in county elections. When the legislature convened on November 18, the returns showed that approximately three-fourths of the voters favored accepting the proposal.47 In accordance with the public mandate, the legislature assented to the adjustment on November 25—the long dispute was ended.

The Great Compromise was inescapable proof that men, despite different geographical backgrounds and opposing standards of value, could rationally and amicably reconcile their disagreements. To forget abstractions was essential. The Northerner had to forsake, at least

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46 Sublett to Roberts, October ?, 1850, in Roberts Papers.
47 Binkley, Expansionist Movement in Texas, 217.
momentarily, his humanitarian zeal and realize that immediate abolition without due compensation to the slaveowners was impossible. The Southerner had to recognize that he screamed for extension of slavery into territory naturally ill-adapted to the institution.

The Compromise was a triumph of actualities over abstractions. To Texans, of course, the issue was reality rooted in earth itself. Not expansion of slavery, but land—public land with which to pay a debt—was its desire. Not the rights of the South, but the rights of Texas mattered. New Mexico belonged to the state; twice—and almost a third time—Texas had fought to secure it. But possession of the territory had been denied. Warring with words—considering the sword—Texas finally yielded, not for devotion to Union, or concern for the peaceful perpetuity of Southern institutions, but for Texas and $10,000,000.
Ardent Texas nationalism gradually waned following the Great Compromise. The burning issues of boundary and debt were no longer germane, but matters of equal significance quickly rose in their stead. If Texas were to fulfill its dream and become the "Empire State of the South," it had to concentrate on self-development. Its relative isolation demanded railroads and improved waterways. Its public land policy would have to encourage immigrants. Rich in resources, Texas needed only to utilize them.

Increasing awareness of the state's economic possibilities was blended with a growing political consciousness. The sporadic verbal thrusts directed toward the federal government during the boundary dispute needed an effective political basis. Traditional political sentiments wanted codification and popularization. Quickly identifying themselves with traditional political doctrines, men of similar views began to organize into parties. The process was not a rapid one, but its development keynotes the internal activity of the state until 1857 when Texas turned its eyes toward the South.

While the subject of annexation was not a party issue in Texas, the fact that annexation was championed
by the Democracy of the United States had no little
influence in determining the political affiliation of
Texans after statehood. Guy M. Bryan wrote in 1845 that
"we are all Democrats in Texas since the glorious victory
of that party who fearlessly espoused our cause and
nailed the 'Lone Star' to the topmast of their ship."\(^1\)
That Democracy prevailed in the South and that ninety
per cent of the Texans had emigrated from southern states
also enhanced the position of the party in Texas.\(^2\) Demo-
cratic principles, however, rather than the Democratic
party were sanctioned during the early years of state-
hood. Political organization and party machinery were
considered out of place on the frontier; indeed, indif-
ference to formal organization seemed to grow when men
felt certain that neighbors tacitly shared their political
views.

Absence of an effective opposition doubtless produced
this indifference. Yet many Texans, including the news-
paper editors, pleaded for a public proclamation of

\(^1\) Guy M. Bryan to Mrs. Mary Holley, January 7, 1845, quoted
in Ernest W. Winkler (ed.), "Platforms of Political
Parties in Texas," in Bulletin of the University of
Texas, LIII (1916), 15.

\(^2\) Richardson, Texas, 241. See also Lathrop, Migration
into East Texas, 55.
principles and for the establishment of political machinery by which to spread them, opposition or no. The editor of the State Gazette, observing the lack of party organization, wrote:

Party lines have been clearly drawn in all the other States of the Confederacy, and the adherents of the different creeds act upon principles they profess without respect to persons or particular locality. Such will inevitably be the case in Texas, and we can see no good reason why it should not be now. It would be substituting principles for personal attachments, as one of the indispensable qualifications for office; and surely if this were done it would be hard to discover any injury that could possibly flow from it. . . . In the next canvass, at least, we shall probably have several candidates for each of the higher offices within the gift of the people, all of them professing a becoming devotion to the tenets of the good old Democratic creed.3

The initial concern of Texas Democrats in 1851 was national politics. Appreciating the stark reality, the threat, of some national issues, many Texans advocated calling a convention to choose delegates to the national convention. Texas Democrats were irked by the stand taken by the Taylor-Fillmore Whig administration on the boundary dispute, and accordingly, the editor of the

3State Gazette (Austin), December 14, 1850.
State Gazette demanded that "men of sound National politics be elected as standard bearers of the Democracy in Texas." Several newspaper editors concurred in the suggestion, but some felt that the proposed convention should deal only with federal issues. Confident that the state executive and legislature would remain in the hands of Democrats, these men discounted the need for strict party organization on the state level.

The concern for national politics prevailed, so that a convention was summoned to meet at Austin in January, 1852. That only twenty-one counties sent representatives illustrated the general indifference toward party politics in Texas. Despite the meager showing, the delegates adopted a platform outlining those views which provided the basis for state Democratic platforms until 1857:

Resolved, 1. That the Democratic party of the State of Texas, coming together in a spirit of concord and devotion to the doctrines and faith of a free representative...
government, do avow and reassert, before
the American people, the declaration of
principles avowed by the National Demo-
cratic convention of 1848. . .7
2. That the measures passed by the last
Congress of the United States, commonly
known as "the Compromise Acts," are regarded
by the Democracy of Texas as a final ad-
justment of the dangerous and vexed ques-
tions they embrace.
3. That the principles contained in the
Virginia and Kentucky resolutions of 17988
are fully recognized by this convention as
representing a true exposition of the con-
stitutional rights of the States and of the
General Government under the Federal compact,
and that they are equally opposed to consoli-
dation, secession, and disunion.9

The state platform of 1852 seemed to cover national
policies adequately, but as befitted a confident state
majority, the convention failed to draft any local pro-
posals. Because the meeting neglected state issues, it
was open to some attack. The editor of the Western
Texian (San Antonio), obviously disgruntled, wrote that
although the platform sufficiently covered national
affairs, it contained nothing in regard to state policy.

7 See Appendix I.

(New York, 1959), 34, for a relevant portion of State
right-nullification doctrine in the Kentucky Resolutions
of 1798.

9 See Winkler, "Platforms of Political Parties," 50-51.
"If the Democratic party is to be the dominant party, the distinctive principles and measures of Democracy should mark and control the policy of the State," he continued. And after citing the convention's failure to discuss banking, internal improvements, education, or disbursement of the public revenue, the editor challenged the convention to admit its position on these issues. Disappointedly, he called the convention a fiasco, and claimed that he, at least, was a Democrat, not because "Democracy was or should be in the ascendant," but because of Democratic principles.¹⁰

An unsuccessful convention and the criticism which attended it still did not shake the complacency of the Democracy in Texas. Feeling secure in their isolation, Texas Democrats continued to resist party organization or pronounce state policy. To jolt that nonchalance was one function of the opposition party which appeared in the spring of 1852.

The Whigs had long been a formidable minority party in the South and they were not without loyal adherents in the newest southern state. Like the Democrats, the

¹⁰Western Texian (San Antonio), quoted in State Gazette (Austin), January 31, 1852.
Whigs had failed to organize in the early years of statehood. Nevertheless, Zachary Taylor, the Whig presidential candidate in 1848, had received 4,509 votes. Until they organized, however, the Whigs posed no threat to the supremacy of the Democracy.

The approaching presidential canvass in 1852 supplied the necessary impetus for Whig organization. Two conventions were held, one assembling at Tyler on April 16, the other at Houston on May 7. In contrast to the nationally-oriented platform adopted by the Democrats, the Whigs adopted resolutions of both national and state interest. The Whig platform on national policies included the principle of nonintervention in foreign affairs, the advocacy of Congressional appropriations for internal improvements, and the recognition and acceptance of the Compromise of 1850. Furthermore, in a portion entitled "Additional Resolutions," the program stated:

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11Winkler, "Platforms of Political Parties," 21. The Whig vote was remarkably large when Taylor's unpopularity with Texans is considered.

12Ibid., 28. See also Francis R. Lubbock, Six Decades in Texas (Austin, 1900), 194-195.

13Ibid., 52-53.
WHEREAS, in the opinion of this convention the organic laws of our State impose serious barriers to the substantial interests and growing prosperity of our people, and that the agricultural and commercial interests of the whole State loudly call for an alteration in the constitution [of 1845] therefore, be it

Resolved, That the citizens of Texas be... requested...to instruct their representatives in the next legislature to take the necessary steps to have the constitution [of 1845] so altered as to afford banking facilities which we deem to be of such vital importance to the future growth of our State.14

Resolved, That in the opinion of this convention judicious works of internal improvements are of primary importance in developing the resources of a large portion of our State, now so isolated as to be comparatively valueless and which in point of climate and productiveness of soil is unsurpassed by any portion of the United States, and that our legislature in promoting these great objects should at this time direct the means and energies of the State mainly to the construction of a great central train of railroad, running from East to West, through the whole State, so as ultimately to form a link in a road running across the continent of America connecting the Atlantic and Pacific waters.15

That the Whigs had held two conventions and elected delegates to the national convention was noted with


15 Winkler, "Platforms of Political Parties," 53-54.
interest—perhaps apprehension—by the editor of the Democratic State Gazette:

The Whig party of Texas may now, we presume, be considered as organized and ready for action. That this party is in the minority in Texas, we have no doubt, but the minority is not so small in numbers or weak in personal influence as the statements heretofore made upon the subject would lead one to believe. The late conventions... disclose the Whiggery of a good many gentlemen of talent and great personal worth, who have hitherto remained silent in politics or were supposed to be Democrats.16

Notwithstanding the organizational efforts of proponents of both political creeds, the presidential election aroused scant popular attention in Texas. The total Democratic vote for Franklin Pierce was 13,044 compared with 4,995 for the Whig candidate, Winfield Scott.17 The notable result of the election and the meetings preceding it, however, was the Democrats' reaction to the substantial Whig vote. That reaction was the active Democrats' intensive efforts to establish solid party machinery.

As the gubernatorial canvass of 1853 approached, the Democratic politicians and editors once more called for a nominating convention. With the announcement

16 State Gazette (Austin), May 8 and 22, 1852.
of six Democratic candidates (including E. M. Pease, T. J. Chambers, George T. Wood, L. D. Evans, J. W. Henderson, and M. T. Johnson), a convention seemed imperative. "We must either select one candidate to be supported by the entire party and make victory certain, or we will have three or four Democrats in the field with almost an equal certainty of defeat," wrote the editor of the State Gazette.18 Quickly sensing a windfall, the Whigs entered a single gubernatorial candidate, William B. Ochiltree. Indeed, the situation for the Whigs looked promising, for repeated efforts by the Democrats to hold a convention failed.19 The people, sure of their personal political principles, simply could not view the active Whigs as a serious threat. As one editor quipped, "The attempt to organize the Democracy of Texas at present looks very much like an attempt to organize a large army in time of peace."20

Only the withdrawal of two Democratic candidates, M. T. Johnson and J. W. Henderson, in favor of Pease enabled the Democrats to win. The total vote for governor

18 State Gazette (Austin), November 6, 1852.
19 See Winkler, "Platforms of Political Parties," 29-34.
20 Ibid., 35, quoting Texas Monument, December 21, 1853.
was nearly double that for president in 1852—35,693 to 18,039; but Pease's majority had been a relatively feeble 13,091 votes to 9,178 for Ochiltree.\(^{21}\) The scattered votes for several Democratic candidates indicated that, with an ever-growing opposition party, a nominating convention was absolutely necessary. Yet something—a party, a person, a principle—was lacking. Some agent was requisite to arouse the Democracy from its political slumber; some force was needed to crystalize Democratic thought and action. In the spring of 1854, that catalytic agent, a strong and aggressive opposition, the American party, appeared. The party was slowly gaining support until the German element in Texas unconsciously facilitated the party's coalescence.

German settlers in western Texas generally and nominally affiliated themselves with the Democracy because they believed, with that party, in republicanism and the equality of men. That the Democratic party countenanced slavery did not disturb the Germans at first since anxiety about their own rights in their new home outweighed all other considerations.\(^{22}\) Olmsted noted that:

\(^{21}\)Ibid., 644.

The mass of Germans living by themselves, where no slaves are seen, and having no instinctive prejudice to color, feel simply the natural repugnance for a system of forced labor, universal in free society. Few concern themselves with the theological right or wrong of the institution, and while it does not interfere with their own liberty or progress, are careless of its existence.  

So long as the Germans remained impassive towards slavery and silent about their politics, they caused little excitement. There were, however, among the German settlers many political refugees, educated men accustomed to an active political life. Increasingly mindful of the Germans' potential role in state politics, these men summoned a convention to meet at San Antonio on May 14 and 15, 1854.

The platform adopted by the San Antonio convention, rather than the convention itself, produced objections from both Germans and native Texans. Although the

23Olmsted, Journey Through Texas, 432.

24The San Antonio convention and platform were styled after those of the national German organization, Bund Freier Maenner. The organization originated in Louisville, Kentucky, where the local society was called Vereinigung der freien Deutschen. All these German societies declared that slavery was an evil and should be abolished; only the Louisville group, however, denied the states the right to control the institution. See Biesele, History of the German Settlements, 251.

25See ibid., 199-203, and Biesele, "The Texas State Convention of Germans in 1854," in Southwestern Historical
The document was extremely radical in its political resolutions, the social plank on slavery aroused the greatest furor:

Slavery is an evil, the removal of which is absolutely necessary according to the principles of democracy. Since slavery concerns only the states, we demand that the federal government abstain from all interference in the question of slavery. However, if a state resolves upon the removal of this evil, such state may claim the assistance of the general government for the purpose of carrying out such resolve.

Quarterly, XXXIII (1930), 247-261, for a complete account of the convention and the reaction to it.

Among the political resolutions passed at the San Antonio convention were demands for direct election of the President, United States Senators, judges, and other administrative officers; and also demands for direct taxation and proportionate income tax. See ibid., 252-253, quoting the Neu Braunfelser Zeitung, May 19 and July 7, 1854, for the complete platform.

Biesele, History of the German Settlements, 199, quoting Neu Braunfelser Zeitung, May 19, 1854. Biesele also lists the two less radical substitute proposals which were defeated by the convention:

1. According to our opinion, slavery is a social evil which may get into conflict with white labor. However, this question affects the Germans too little and is interwoven too much with the interests of our fellow-citizens for us to take the initiative in this matter or let it determine our political stand.

2. Negro slavery is an evil which threatens the continued existence of the Union. We German-speaking Texans are not in a position to suggest a solution but feel that the federal government should not interfere in this question.
The slavery resolution illustrated the Germans' adherence to the Democratic State rights principle, but since it demanded abolition, it was considered insurgent. When the platform was published, a veritable storm broke loose. Texans immediately placed the entire German population in the ranks of the abolitionists. The classification, however, proved untenable as German conservatives soon registered protests to the slavery plank which they regarded as both useless and impolitic.

Acting as spokesman for the conservative Germans, Ferdinand Jacob Lindheimer, editor of the *Neu Braunfelser Zeitung*, attempted to clarify their true position with regard to slavery. He first inquired what the convention intended by "assistance of the general government" and learned that it meant compensation to the slaveowners for the liberation of their slaves. Compensation to the slaveowners, however, was only partially agreeable to Lindheimer since he believed in the positive economic benefits of slavery. But more important, Lindheimer believed in State rights; thus, according to his view, only the individual state could deal with its domestic

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institutions. Since Lindheimer and most Germans had no intention of meddling in their American neighbors' affairs--especially slavery--they repudiated the attempt of the abolitionist press to speak for them. Another prominent German, Friedrich Ernst, opposed the platform on the grounds that it was very unwise for the Germans to take such a defiant stand against slavery since the slave-owners and nativists might deny the German immigrant all political rights in order to protect themselves.

Ernst's anxiety about the "nativists" was curiously appropriate, for the American party, that heterogeneous group of America-firsters, was just then spreading its prejudiced gospel through Texas. The presence of an unassimilated foreign population within Texas and a Mexican culture along her southern and western borders made the state an especially fertile region in which to promulgate the Know-Nothing dogmas.

29Dr. Adolf Douai, editor of the San Antonio Zeitung, was the chief figure among German abolitionists. His continued efforts to agitate for abolition convinced the American press that all Germans were abolitionists. See Biesele, History of the German Settlements, 202-203.

30Ibid., 201.

31See Overdyke, The Know-Nothing Party, 27.
The basis of Know-Nothingism was the belief that persons whose primary interests and loyalties lay outside America presented a potential threat to American welfare. But Know-Nothingism was more than a vague doctrine opposed to Germans, Mexicans, Irishmen, and Roman Catholics; it was a state of mind. And since the creed was not clearly defined, since the organization itself was secret, since it represented the dread of the different, Know-Nothingism cut across party lines.

In Texas the Know-Nothings remained neutral on slavery, emphasizing instead their hostility to foreigners—Germans and Mexicans. Both the Mexicans' religious allegiance and the Germans' radical political views were considered choice examples of disloyalty to the United States. The Know-Nothings' political activities, however, were carefully concealed; it was not until June, 1855, that the Democrats realized the strength of the new party.32

The approaching gubernatorial election (1855) offered the Know-Nothings an opportunity to test their political abilities. At a meeting of the Grand Council at Washington

32A Know-Nothing mayor was elected in Galveston in March, 1855; this event, however, apparently aroused little excitement in the state. See Winkler, "Platform of Political Parties," 37.
on the Brazos, Lieutenant-Governor D. C. Dickson was nominated for governor. That the Americans were vigorous enough to select a gubernatorial candidate and that their campaign was in earnest astonished the Democrats. Bewildered at the audacity of their seemingly inconsequential opposition, the Democrats abruptly woke from their political slumber. Responding quickly with a "bombshell" convention at Austin on June 16, 1855, they nominated Governor E. M. Pease for reelection.

Thus, the gubernatorial battle began, and it continued until August. The Democrats proclaimed their traditional principles, while still refusing to outline a state policy. Likewise, the Know-Nothings neglected state policy, but were content to denounce the Germans and Mexicans because they were foreign born. The upshot of the Know-Nothing campaign was that the Germans and Mexicans unhesitatingly joined the Democratic ranks.33

Except for the anti-foreignism, there was little apparent distinction between the two parties. Dickson, the American gubernatorial candidate, explained his

position to Guy M. Bryan:

In regard to the charge of Know-Nothingism I presume there is little difference between your opinion and my own. I believe that our naturalization laws need amendment and that the term of years might with much propriety be extended. Yet I am not disposed to proscribe any citizen simply in consequence of his birth place. I would prefer to regard them as full partners and ask them to lend their aid in such measures as might be brought forward for the good of the country. In regards to the religious test as it is called, I can only say that while I would accord to all the full and free right to worship God as they might choose, I would still as a citizen regarding the well-being of my country not vote for any man knowingly who entertained the higher law doctrine, be he Catholic or Protestant. . . I do not claim to be a Know-Nothing. . . I shall be found battling for the constitution and the union; this I shall do until all conservatism is swallowed in the vortex of fanaticism. When this takes place, duty to my own state and section will leave me no alternative but to do yeoman battle in defense of our rights, and equality— I am an old-fashioned democrat. 34

The Democracy, when confronted by an organized opposition, rallied to capture the governorship by a vote of 26,336 to 17,965. 35 Perhaps to show his regard for the "foreign born," Governor Pease chose a German band.

34D. C. Dickson to Guy M. Bryan, August 20, 1855, in Guy M. Bryan Papers, Archives Collection, University of Texas (hereinafter cited as Bryan Papers).

to escort him to the inaugural ceremony. But Know-Nothings was not defunct; the presidential election of 1856 gave the party one final chance to assert itself.

Discarding their oath-bound secrecy, the Know-Nothings held a public convention at Austin in January, 1856. In attendance were several prominent Texans, including Ben Epperson, John Hancock, John S. ("Rip") Ford, and Edward Burleson. Doubtless old Sam Houston was present in spirit; indeed, the senator had been the central figure at a previous Know-Nothing rally when he had said that he was a Democrat, a Jackson Democrat, who "adopted and admired the principles of the American party." And Houston tersely claimed that since he favored "Americans ruling America," this new party was the best insurance for the "perpetuity of our free institutions." Besides electing delegates to the national convention, the Know-Nothings issued a platform declaring

36 Ibid., 40.
37 Ibid., 69. See also the Edward Burleson Papers, 1821-1876, Archives Collection, University of Texas (hereinafter cited as Burleson Letters). The collection contains several letters describing Burleson's strong affiliation with the "American order."
38 Lubbock, Six Decades in Texas, 198.
themselves in favor of native Americans for office, strict construction of the Constitution, State rights, amendment of the naturalization laws, and protection of the frontier. Furthermore, the platform stated that Congress had no right to interfere with slavery in the states, territories, or District of Columbia.\footnote{39}

Not to be twice outdone by the organized opposition, the Democrats also held a convention at Austin in January. The national Democratic platform of 1852 was the foundation of the convention's 1856 resolutions.\footnote{40} Three significant resolutions, however, were added. One, to be expected, was the denunciation of all secret political societies, "whether called Americans, Know-Nothings, or any other delusive name."\footnote{41} The second was the castigation of Sam Houston's negative vote on the Kansas-Nebraska Bill of 1854. Third, and most important to the future of the party and the state, was the resolution which accorded increasing attention to slavery and to

\footnote{39}{Winkler, "Platform of Political Parties," 69-71. For the national American platform of 1856, see Kirk H. Porter and Donald Bruce Johnson (compilers), \textit{National Party Platforms, 1840-1956} (Urbana, Illinois, 1956), 22.}

\footnote{40}{See Appendix II.}

\footnote{41}{Winkler, "Platforms of Political Parties," 65.}
The Democracy of the state of Texas regards the passage of the Kansas-Nebraska act as a triumph of the Constitution over fanaticism and sectional madness, and would regard its repeal as a violation of the spirit of the Constitution, and an outrage upon the rights of the Southern states of the Union; they insist upon the old Democratic doctrines of States' rights, and strict construction of the Constitution, as cardinal principles of the Democratic faith; that the principle of nonintervention by the federal government is a doctrine of the Constitution, alike applicable to States and Territories; and any attempt on the part of Congress to prohibit slavery in any territory that may hereafter be organized, or to restore the Missouri Compromise, or to repeal the Fugitive Slave Law, or to refuse to admit any new state that may hereafter apply for admission into the Union on account of slavery being recognized in its constitution, or to impose any restriction on the subject of slavery on any new state so applying, not imposed on the original thirteen states, or to impose any restriction upon the trade and intercourse between the slave states, or to abolish slavery in the District of Columbia, would be a violation of this principle, and should be regarded as an attempt to trample on the Constitution and dissolve the Union, and should be resisted at every hazard and to the last extremity.42

The issues broached by both parties on the national and local scene enlivened the presidential contest in Texas. Voting had increased substantially over that of

42Ibid., 66.
1852. James Buchanan, the Democratic nominee, received 31,169 votes. The American candidate, Millard Fillmore, received 15,639 votes. But Know-Nothingsism was moribund. By trying to replace sectional-slavery agitation with nativistic issues, the Know-Nothings had a potent, yet temporary, political effect on the nation. Certainly, the American party and the Democracy in Texas shared similar views. Both, for instance, believed in Congressional nonintervention with slavery in the states or territories. The Know-Nothings, however, strove to minimize the slavery issue; Texas Democracy began to concentrate on it. That the Know-Nothings' attempt to avoid the real questions of slavery and its extension failed was but an indication that those matters had assumed primary significance in the Texans' concept of State rights. Nativism could not, by 1856, supercede slavery or sectionalism.

If, however, the American party was moribund, the Democracy was more animated than ever. The party had overcome its hesitancy to organize; its ranks were filled with Texans, Germans, and Mexicans. Texas political individualism and isolationism seemed to be giving way

43 Ibid., 648.
to the pressures of neighbor states along the Gulf. Suddenly, the Democracy of Texas began to realize that the rights it proclaimed for Texans also belonged to other Southerners. Another year, another election, and the party would not doubt it.

The vehement discussions on state policy towards railroads furnish perhaps the most concrete example of the merging political and economic consciousness of Texans during the mid-fifties. The discussions also illustrate Texans' rapidly growing solicitude for slavery. No political-economic discussion was immune from the subject. And as slavery acquired such overwhelming significance in all matters, Texas moved more decisively towards at least an informal Southern alliance.

Agitation for railroad construction in Texas had continued since the days of the Republic; the issue

was inextricably bound with Texas nationalism and local economic prosperity. After 1852—and throughout the 1850's—the projected railroads became an important part of the southern political-economic program which aimed at reviving "southern commerce through direct contact with the Orient" and through "the extension of southern institutions and influence" westward.45

The state's geographical isolation could only be ameliorated by an adequate transportation system. Yet, by 1854, another factor took precedence over isolation. Economically, the whole state could demand railroads for obvious reasons; the eastern planters, however, injected a political motive. Slavery was prevalent only where cotton was grown—in eastern and southeastern Texas. Even if the slave system had been adaptable to growing grain or raising cattle, the western farmer would probably have found the slave too expensive to purchase. Hence, the absence of an appreciable number of slaves in western Texas produced uneasiness among slaveholders along the coast. The slaveholders, consequently, believed that legislation for internal improvements could lessen the

45See Ramsdell, "Internal Improvement Projects in Texas," 104-105; and various issues of De Bow's Review, 1853-1859.
possibility of anti-slavery sentiment among the non-slaveholders by bringing them and their produce within reach of the Gulf ports.46

In 1854 the state legislature, hoping to encourage some railroad enterprise in Texas which would benefit commerce, assimilate the diverse regions of the state, and promote immigration, donated to private railroad corporations sixteen sections of land per mile of railroad constructed.47 The state's new and liberal policy attracted several corporations, among them the Atlantic and Pacific Railroad. Eager to begin construction and to prove the advantages of railroads, that railroad48

46Ramsdell, ibid., and McKay, “Texas and the Southern Pacific Railroad,” for a discussion of political motives for internal improvements.


48Reed, History of Texas Railroads, 99-101. The Atlantic and Pacific Railroad Company was incorporated by the New York legislature on July 21, 1853. That company was never granted a charter by the Texas legislature. The company received permission to build a line, however, because it offered the lowest construction bid on the charter granted to the Mississippi and Pacific Railroad Company, an organization which existed on paper only and had no corporate membership. See Andrew Forest Muir, "The Thirty-Second Parallel Pacific Railroad in Texas to 1872," unpublished Ph. D. dissertation (University of Texas, 1949).
had its groundbreaking ceremony at Marshall on July 4, 1854. The principal speaker, General Thomas J. Green, addressed the people on the significance of the road to Texans:

This road is emphatically the Southern—yea, what the abolitionist truly calls the "great slavery road." Its five principal connections... are entirely in slave territory; and if the people of Texas and the South be true to themselves, they will see that the remaining five hundred miles... will, under the privileges of the Nebraska bill, be also a slave State. This is due to Texas, to the South, and to the Union... It is, fellow-citizens, in a political view, that every lover of this great Union should regard this work with patriotic fervor. For myself, the union of these States upon equal and reciprocal benefits and security, north and south, has ever been a cardinal principle. That this security or reciprocity can long exist where the north has the political control... is preposterous. I have long thought that unless there was a check somewhere in the federal government to this northern and fast-increasing majority, the days of this Union were numbered... Then let the people of the South, as they love the Union, as they love just and equal legislation, as they hope for the lasting welfare of posterity, push this

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49 Green, a native North Carolinian, was considered a disreputable speculator. With Robert J. Walker, T. Butler King, and Jeptha Fowlker, he attempted to profit on this railroad venture. Ultimately the railroad venture proved a failure. See Muir, "Thirty-Second Parallel Railroad," and Walter Prescott Webb, et al (eds.), The Handbook of Texas (2 vols., Austin, 1952), I, 728.
road westward, and build up a belt of slave States to the Pacific for such will be its inevitable result.  

Green's bid for a "great slavery road" was premature, however, for Texans, though keen to profit from the California boom, were absorbed with internal transportation difficulties. The western farmer had to convey his corn and grain to the Gulf ports; on the other hand, the eastern planter, regarding the non-slaveholding westerner as a potential abolitionist, had to appease him as well as procure a means to transport "slave cotton" to the coast. Therefore, when the private corporations (including the Atlantic and Pacific Railroad) failed to command enough capital to sustain their construction efforts, Texans speedily suggested alternatives—anything to build the indispensable railroads.

The two notable proposals were the "State Plan" and the "Corporate Plan" or "State Loan Plan." The

50 Address of General Thomas J. Green, upon the Ground-breaking of the Atlantic and Pacific Railroad. Marshall, Texas, July 4, 1854.

51 There was a third proposal, the "Galveston Plan," originated by Willard Richardson, editor of the Galveston News. Richardson was not concerned about who built or owned the railroads; he simply believed that all Texas rail lines should lead "fan-like" to Galveston. He later abandoned the "Galveston Plan" in favor of the "State Plan." For an account of Galveston's role in railroad ventures, see Earl W. Fornell, "Island City: The Story of Galveston on the Eve of Secession, 1850-1860," unpublished Ph. D. dissertation (The Rice Institute, 1955), 211-238.
latter was framed by men who believed that a state transportation system should be built by private promoters.\textsuperscript{52} To attract the necessary capital, these men, including Bryan, Asbel Smith, Frank Lubbock, and William P. Ballinger, recommended that the state offer substantial land grants and monetary loans to corporations willing to undertake the tasks of construction. That the advocates of the "Corporate Plan" intended to connect their projected railroads with a transcontinental system was a key feature of their proposal.

In contrast, the leading proponent of the "State Plan," Lorenzo Sherwood of Galveston, urged that the state employ her credit to build, own, and operate a railroad system. By issuing bonds and selling public domain, the state could begin construction. Moreover, by placing a 15\(\frac{1}{2}\) tax per $100 worth of property, the state could pay the interest on the bonds and divert any surplus into a sinking fund for internal improvements.\textsuperscript{53}

\textsuperscript{52}Actually the "Corporate Plan" was in use by the state; the inefficiency of some of the railroad corporations, however, caused the governor and the Legislature to hesitate in renewing the corporations' charters.

\textsuperscript{53}E. M. Pease, "Development of Texas by Internal Improvements," in De Bow's Review, XX (January, 1856), 111-118.
Frankly stating that he had lost faith in the efficacy of bonus offers of lands to private corporations, Governor Pease, with Sherwood and Willard Richardson of the Galveston News, waged polemical war against the "Corporate Plan" advocates. Addressing himself to the western Texan, Sherwood wrote in De Bow's Review:

If we adopt the State system, you are placed on an equality of advantage with all your fellow citizens. If we adopt the corporate system, or another system bearing any near analogy to it, you and the class to which you belong are subjected to an all but unending sacrifice for the benefit of the State at large. The consideration that brings us to the desperate resort of adopting the corporate system arises from the unfounded belief that our citizens are incompetent to put into successful requisition the higher principles of statesmanship.

For Governor Pease, a Democrat, to sanction state-financed internal improvements was extraordinary, and indeed, the Democrats at the 1856 state convention openly admonished him. Despite the censure, Pease continued

54 State Gazette (Austin), April 28, 1855.


56 Winkler, "Platforms of Political Parties," 68. The fifteenth resolution of the 1856 platform stated: That this convention congratulates the people of Texas most heartily upon the reelection of E. M Pease as governor of the State of Texas, and while
to support the "State Plan," declaring in *De Bow's Review* that:

The present system of making donations of lands to railroads is much more unequal in its operation than their construction by a general tax; for those sections of the State only, where the population and business promise to make railroads a profitable investment of capital, can avail themselves of these donations, while under a general tax system by the State, the paying sections of road will contribute towards the construction and support of roads in those sections where they will not pay a profit, and thus they will be extended to portions of the State where they will not be constructed for many years, if ever, by individual capital.

One of the great advantages that our citizens will derive from having works of internal improvements constructed and owned by the State will be, that instead of keeping the price of transportation and travel at such rates as will make them a source of profit, as would be done if they were owned by the corporations, the State may if it chooses, reduce these rates to the lowest point that will operate and keep them in repair.\(^5^7\)

The advocates of the "Corporate Plan," unable to refute Sherwood's effective arguments, turned to fight him on political issues on which Sherwood was considered

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\(^5^7\)Pease, "Development of Texas," 115-116.
These included slavery, slave trade, and the Kansas-Nebraska Act. Doubtless, in the eyes of Texas Democrats, Sherwood, a native New Yorker, did entertain "unsafe" views. For instance, he had once termed slavery an "evil institution," a "temporary labor system" which would not endure in a democracy. Whereas, in the earlier years of statehood, these assertions would have provoked little comment, in 1856 they were more than enough to render Sherwood vulnerable to attack. Under increasing pressure from Galvestonians and other "Corporate" men, Sherwood resigned his seat in the state legislature. Consequently, since neither Governor Pease nor Willard Richardson could vote, the most dangerous opponent of the "Corporate Plan" was removed from the fray. Soon after, on August 13, 1856, the Legislature passed the Loan Bill.

58 See Fornell, "Galveston on the Eve of Secession," 227-236. Sherwood, a delegate from Galveston to the 1856 state Democratic convention, was denied a convention seat because he was considered unsound on slavery. See Winkler, "Platforms of Political Parties," 64.

59 See Fornell, "Galveston," 227-228.

60 Ibid., 236.

which determined that the railroad system in Texas would be built by private corporations with generous state aid.

The Legislature's acceptance of the Loan Bill emphasized several Texas attitudes in the mid-fifties. Whereas the opposing plan urged state-financed internal improvements—an echo of Whiggery—the Loan Bill merely sustained traditional Democratic policies favoring private enterprise. The desire to retain both the principle and the practice of private enterprise doubtless determined many of the affirmative votes on the Loan Bill. That the "Corporate Plan" included a wish to link Texas railroads with a southern transcontinental system probably decided some legislators' votes. By employing the Loan Bill, the state could attract the capital which would eventually substitute southern economic alignment for Texas economic isolation. Then, not only would Texas be brought nearer the South physically, but also intellectually and politically.

And certainly the ousting of Sherwood from the Legislature reflects this increasing intellectual-political harmony. In Texas, as throughout the South in 1856, a man considered "unsafe" on slavery was a traitor to the political cause. That slavery had become the dominant factor in all endeavor, be it political nativism or
railroad commerce was more and more apparent. Hence, to favor state-financed railroads mattered less than to be vulnerable on slavery. And to oppose slavery was to oppose Texas and the South.
CHAPTER III
TEXAS AND SOUTHERN RIGHTS

The year was 1857—a year for Dred Scott, for "Bleeding Kansas," for southern commercial conventions, for Hinton Helper's *Impending Crisis*. A doughface Democrat was installed in the White House, following his victory over the presidential nominee of a purely sectional party. William Walker was filibustering in Nicaragua while men in the South talked of ways to reopen the African slave trade.

In Texas, the Indian foe resumed his raids against frontier outposts. Leaving the Texans to defend themselves, the Second Cavalry, officered by Albert Sidney Johnston, Robert E. Lee, George H. Thomas, and John B. Hood, departed for Utah—and the Indian raids grew fiercer, more frequent.

This year, 1857, was also an election year in Texas. There would be a new governor, a new campaign, but would there be new issues? Owing to the national—and state—defeat of the Know-Nothings, that party had lost its significance and influence. The Democracy was vigorous, organized, and ostensibly unified; it had cherished the sovereignty of Texas, supported the guarantees of the
Federal Constitution, and demanded private enterprise both nationally and locally. Although these traditional principles held fast, they were gradually being overshadowed by the Democracy's concentrated defense of Southern institutions. With slavery as its hallmark, the shift of emphasis was subtle, but genuine. Thus, when events and ideas and emotions were whirling so rapidly, how long could even semi-isolation be maintained? Moreover, how long would the state want to remain apart from the South?

Rejoicing in their gubernatorial and presidential achievements, the Texas Democrats called a nominating convention to meet at Waco in May, 1857. Despite the success of the 1856 convention, there apparently were some Texans who entertained misgivings about the approaching convention. E. M. Daggett, alarmed that the party might align more solidly with the South, wrote, "I hear quite a clamor against conventions as they are governed by Clikery [sic] and the soverins [sic] are controlled by them."¹

A. N. Lewis, a Brenham lawyer, ominously revealed the attitude of some western delegates to the convention.

¹E. M. Daggett to Roberts, April ?, 1857, in Roberts Papers.
To O. M. Roberts he wrote:

I do not expect a nomination of the approaching Democratic convention in opposition to which I will not run. I do not regret this so much in my account or because I object to any other whose name has been mentioned; as on account of the spirit [sic] which prompts it. I allude to the spirit [sic] which induces the eastern part of the State to claim and the Western to concede the fact that the Gov. must come from the E or NE. I would object to no man because he might be there located, nor would I support him because he was. This sectional influence has and will convulse the American Union and there is reason to fear that if we had a peaceable separation [sic] that there would still be a demurring locality to oppress [sic] the weaker Geographical Division—and now my Dear Sir, I do not implore you to come to my relief... but as you are located in one Section and I in the other, I pray you to unite with me in stopping this evil... I would rather enter into bonds to eschew all offices rather than see this sectional feeling fostered in the State. 2

Nevertheless, the convention did meet and a spirited one it was. A. P. Wiley, a Congressional candidate, had informed Ashbel Smith that if he were nominated at all, it must be an uncompromising, anti-Houston, anti-Know-Nothng, State Rights Democrat. Furthermore, said Wiley, he would give no quarter to "professed" Democrats.

2A. N. Lewis to Roberts, February 13, 1857, in ibid.
who supported Sam Houston despite his obvious "desertion of the South" and the Democratic party. Wiley seemed to reflect the disposition of the May convention delegates who chose as the Democratic executive candidates two uncompromising anti-Houston, State Rights Democrats, Hardin R. Runnels of Bowie County and Frank R. Lubbock of Harris County.

The committee on Platform and Resolutions reported a platform that once again dealt only with national issues. And in 1857, the prevalent national issues were slavery, its protection, its extension, and the irrevocable right of the States to direct the institution. After citing the Virginia and Kentucky Resolutions and Texas and National Democratic platforms of 1856, the committee announced that

on most questions of State policy there may be differences of opinion, without any difference of opinion on the fundamental

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3 A. P. Wiley to Smith, February 27, 1857, in Smith Papers.
4 "Among the members of the Committee on Platform and Resolutions were Ashbel Smith, A. J. Hamilton, W. B. Ochiltree, Louis T. Wigfall, John A. Moffett, and A. B. Burleson. See Winkler, "Platforms of Political Parties," 72.
5 See Appendices III and IV.
and immutable principles of the Democratic party; that the decision of questions of policy should be left to the people to be acted on by them through the State legislature, as their judgement and circumstances may determine.  

There was little question where the regular Democrats stood with regard to slavery and the South. How unanimously the resolutions would be received by other Texans was difficult to predict in early spring. A formal opposition had not yet appeared; when it did, however, it would be confronted with the monumental task of expelling the Democracy from its relatively entrenched position.

The regular Democrats were confident if not exuberant. In fact, for the first time, their future direction was marked. John Marshall, chairman of the central Democratic committee and editor of the State Gazette, noted with approval the positive path of the Democracy:

I am safe in saying that we are now ready to take a firm Southern position in Texas. From my intercourse with the delegates [at the Waco convention], I am satisfied that no State of the South is sounder than Texas on the Southern questions. We have made a great advance.  

6 See Winkler, "Platforms of Political Parties," 72-73.

7 John Marshall to Rusk, May 13, 1857, in Rusk Papers.
Soon after the Waco convention adjourned, Sam Houston appeared, primed to lead the opposition against the Democrats. "Old Sam in the Field!" announced the Huntsville Record. Declaring his intention to run as gubernatorial candidate of the people rather than of a party, Houston asserted that he had been and always would be a Jackson Democrat. To advance and promote the interests of Texas and Texans would remain his political objective.  

Houston's reappearance as a candidate for popular election recalled the days of the Republic when politically one was either for or against the magnetic fighter. The Republic, however, was gone, and those issues which had divided men into Houston or anti-Houston factions had been replaced by new, though no less critical, subjects.

Houston's vote against the Kansas-Nebraska bill, the ensuing censure, and his espousal of Know-Nothinism had left him particularly assailable in 1857. As a "Union Democrat," he faced stalwart opposition in Texas. Since "State Rights" or "Southern" Democrats were the vogue, Houston's brand of Jacksonian Democracy was out-of-fashion.

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8 Winkler, "Platforms of Political Parties," 74, quoting Huntsville Recorder, May 12, 1857.

9 Houston had been a senator since annexation; at that time senators were elected by the Legislature.
Doubtless his views were especially incompatible with those held by the legislators; consequently, rather than seek reelection to the United States Senate, Houston chose to run for governor. Announced as an Independent and relying on his popularity with the people, Houston commenced the 1857 gubernatorial campaign.

The regular Democrats, keenly aware of Houston’s personal appeal, willingly debated him whenever and wherever possible. Intractable pro-slavery men such as Louis T. Wigfall and J. Pinckney Henderson followed Houston across the state, either haranguing him or zealously refuting his arguments.10 That moderates or Union Democrats and former Know-Nothings might combine to elect Houston remained a possibility, but not a likely one.11 Sentiment against him was unusually strong among some Texans. A. N. Lewis wrote Judge Roberts:

I firmly believe that if Genl. Houston is elected or even holds a respectable role it will be a great misfortune to Texas, the South and all true State rights men and the Union. The only chance to escape an open rupture about the time of the next Presidential contest is to foster and nurture that party who North and South hold [the] same

10 Richardson, Texas, 177.
11 Dudley G. Wooten, History of Texas (Dallas, 1899), 348.
great Democratic principles, and it seems to me that it will be a severe stroke on the Northern Democrats to find that one who is, to say the least, more acceptable to the Black Republicans than any other of the Southern men is elected governor. I do not pretend that he is a B Republican, but I do say that he has made that party esteem him as less inimical to them than the Southern masses.¹²

Nor is there reason to doubt that men who disliked Houston in earlier, less turbulent times, persisted in their animosity in this election year. Olmsted had noted in 1855 that Sam Houston and his eccentricities usually provided an interesting if not disputatious conversational topic. Although he had many friends, most of the "old fighting Texans" hated and despised him, remarked Olmsted.¹³

Although personality—Houston's—entered the gubernatorial contest to a degree, issues were the decisive factors. Jacksonian Democracy and Unionism received no ¹²A. N. Lewis to Roberts, July 10, 1857, in Roberts Papers.

¹³Olmsted, Journey Through Texas, 104. Among the "fighting Texans" who disliked Houston were Sidney Sherman, David G. Burnet, and Mirabeau Lamar. They endeavored to "expose" him during the Know-Nothing campaign (1855) through a pamphlet entitled "Houston Displayed or who won the battle of San Jacinto." See Sidney Sherman Papers, Rosenberg Library, Galveston, Texas.
warm welcome in 1857; the organized Democracy had carefully planned its strategy and confidently proclaimed its potent pro-slavery platform. The electorate was large, the victory impressive because the previously indomitable Houston had been defeated; Runnels, the former Mississippi planter, received 32,552 votes to his 28,678.14

The victory of the regular Democrats unmistakably corroborated the steady drift of Texas towards a political, if not an intellectual, concert with the South. The State Rights wing of the Texas Democracy had consolidated and moved fast and effectively. Yet in their eagerness to advance the political and economic status of Texas, some Democrats urged the reopening of the African slave trade. This factor, in addition to Texas' unique Indian problem, was to haunt Runnels throughout his term of office and facilitate Houston's election in 1859.

Agitation for reopening the African slave trade was designed to achieve an immediate objective in Texas. To realize the potential wealth of the vast, but relatively uncultivated, cotton lands, the planters needed ample, cheap slave labor. A prime field hand on the domestic market cost from $1200 to $1500.15 At this exorbitant

15See Fornell, "Galveston on the Eve of Secession," 260.
price, it seemed highly improbable that Texans could acquire sufficient slaves to work the lands which the planters intended to exploit. If domestic slaves were too scarce—and consequently too expensive—the planters must resort to another means of procuring the indispensable labor force.

Concluding that they had but one alternative, several Texans, among them Governor Runnels and Lieutenant-Governor Lubbock, urged the reopening of the foreign slave traffic. They were, of course, confronted with legal barriers, not the least of which was the federal constitution. That many shiploads of African slaves were being illegally imported into all the southern states was common knowledge. But to obtain an adequate supply of slaves at a lower cost would necessitate legalizing the foreign slave trade; smuggling was too hazardous to permit reasonable prices for Africans. Conscious of this economic plight, John Henry Brown, of Galveston, on November 25, 1857, introduced in the Legislature a "Joint Resolution

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in Relation to the Importation of African Slaves."\(^\text{17}\)

Based on an elaborate citation of Biblical, historical, and classical precedents, the document supported the institution of slavery and further suggested that the governor and Texas Congressmen press for the repeal of all laws and foreign treaties prohibiting African slave trading.

Although the Legislature did not act on the resolution,\(^\text{18}\) Brown had succeeded in drawing the issue out of the planters' homes and placing it before the state's representatives. With unusual vigor the pro-slave trade advocates and their spokesmen, the newspaper editors, embarked on a bold campaign to legalize slave traffic. Employing a barrage of arguments—Christianize the African, treat him humanely, expand cotton production, increase wealth, afford the white man leisure\(^\text{19}\)—the advocates continued their campaign throughout 1858 and 1859.

\(^\text{17}\)See House Journal of the State of Texas, 1857.


\(^\text{19}\)The argument for "white man's leisure" was continually employed by Edward Cushing in the Houston Telegraph. That argument was in keeping with the Southerners' dream of establishing a "Greek Democracy." See Vernon L. Parrington, The Romantic Revolution in America (New York, 1927), 89-103.
Willard Richardson, in the Galveston News, admitted that it would be politically difficult to repeal the federal restrictions upon the slave trade, but added emphatically:

We care not if every foreign slave trader in a Southern state shall be arrested by the colossal hand of the federal government [so long as] the state government permits the citizen to trade in slaves unmolested—when the cases come before a jury, it will be the federal government and the rights of the state which will be at issue; no one need fear the result in such circumstances.20

The zealous editorials not only served to sharpen the desires of pro-slave trade advocates; they also aroused the anxieties of conservative and moderate Texans who, though they firmly believed in the "peculiar institution," loathed the idea of reopening the African slave trade which had been legally extinct for fifty years.

John H. Reagan, a candidate for Congress in 1859, was accused of being "too national" to represent Texas since he opposed reopening the slave traffic. He replied:

I [am] opposed to the African slave trade, independently of any question of morality, because the United States [has] treaty engagements with a number of great nations prohibiting that trade, and it [cannot] be revived without violating our treaty obligations, and probably involving

20Houston Telegraph, February 26, 1859.
us in war with the other great nations,
and because a majority of the people of
the United States [are] opposed to it;
and because it [is] impracticable, un-
reasonable, unjust, and unstatesmanlike.21

The controversy over reopening the African slave
trade also raged within the controlling nucleus of the
Democratic party and produced some trying moments at the
state convention in 1859. Several convention leaders,
including Runnels, Lubbock, and A. P. Wiley of Huntsville,
were determined to force the convention to adopt a pro-
posal advocating legalization of the traffic. The incon-
gruous team of the moderate Reagan and the radical Wigfall
fought the proposal, however, because they shrewdly re-
alized that to inject the contentious issue into the
gubernatorial campaign would give the conservative op-
position, focused around Houston, an effective rallying
point. The proposal was finally tabled because "it would
not be well to compel men to take sides at this time."22

Nevertheless, the attempt to write the extreme pro-
position into the Democratic platform did not go unheeded
in more conservative circles. Ferdinand Flake, editor


22See Houston Telegraph, May 6, 1859, for a discussion
of the Convention's activities regarding the slave trade.
of Galveston's German newspaper, *Die Union*, used the issue advantageously while supporting Houston for governor in 1859. Houston himself was unalterably opposed to reopening the trade; and the issue was of incalculable value in his 1859 campaign for state rights within the Union.

There was another issue of a different nature which plagued Runnels during his gubernatorial term. The expansive Texas lands were not without drawbacks. Long the natural home of the Plains Indians, the west Texas region became the site of interminable battles between those Indians and the pioneer settlers who sought to snatch the land from them. The settlers, however, were not solely motivated by land hunger; they also considered the Indian their natural enemy, so that even when the redmen were not terrorizing white settlements, the pioneers still wished to exterminate them. The problem of Indian raids in the late 1850's was generally confined to the western portion of Texas. And because the westerner often felt that the easterner disregarded his interests, the Indian problem produced some tension between the sections.

Prior to annexation, frontier defense was largely the task of the Texas Rangers with the aid of individual settlers. By the annexation agreement, however, the
United States supposedly assumed full responsibility for protecting the state against foreign invasion from without and Indian depredations from within. Although the joint resolution for annexation did not specifically mention the Indians, their transfer to federal control was both implied and understood by the two governments.²³

In addition to assuring letters from William L. Marcy, United States Secretary of War, and Andrew Jackson Donelson, United States representative to the Texas annexation convention, ²⁴ the people later received guarantees from President Fillmore that the federal government acknowledged its obligation to Texas. In his annual message to Congress, Fillmore described the Indian attacks on Texas and New Mexico settlements and maintained that by the treaty of Guadalupe Hidalgo,²⁵ the United States was pledged to protect both the Mexican frontier and Texas against Indian incursions.²⁶


²⁴ See ibid., 259, quoting Cong. Globe, 30 Cong., 1 sess., House Doc. 60, 79-80; and Barker, Readings, 393.

²⁵ See Miller, Treaties and Other International Acts, V, 207-236, for the treaty of Guadalupe Hidalgo.

While the federal government was unquestionably sincere in its efforts to safeguard the frontier, its policies, from the beginning, were constantly criticized by Texans. Many were the weaknesses of the federal Indian policy and none went unnoticed. First, the military force was inadequate to afford protection. Scattered over hundreds of miles, the unmounted soldiers had little opportunity to encounter Indians on horseback. Second, because Texas was a state rather than a territory, the army and the federal Indian agents had less authority than they otherwise would have possessed. To regulate intercourse among citizens, traders, and Indians was the state's function; Texas, however in the late 1850's was unable to do this. Still the state would not give the federal agents or the army unlimited power to handle the problem. 27 Third, frontier defense was an expensive undertaking. Sam Houston charged in 1852 that the national government was spending $6,000,000 a year to preserve the Indian peace; that the sum was uselessly expended; and that, given $100,000, he could guarantee peace on the frontier. 28

27 See Webb, Texas Rangers, 128.

federal troops (especially after 1856) forced Texas to summon its Rangers to defend the frontier, the state naturally expected to be reimbursed by the federal government. That it was not only intensified the criticism of that government.29

Those weaknesses in governmental policy were significant, but it was the government's attitude towards the Indians which provoked greater condemnation. Essentially the federal government strove to protect the Indians against extermination as long as they were peaceful. The Texans, however, impatient with the clumsy methods and humanitarian policy of the United States army, believed that the federal government should enroll the Rangers, pay them, then allow them to "run all the Mexicans into the Rio Grande and all the Indians into the Red River."30 That was the westerner's stand, an attitude not shared by Governor Runnels of Bowie County.

29 The expenditures for frontier defense, 1852-1855, amounted to $95,000; the claim against the United States for this amount was relinquished in accordance with the act of Congress, February 28, 1855, which settled the Texas debt. Texas, however, spent $375,000 on defense between 1856 and 1861 and was not reimbursed until 1906. See Barker, Readings, 413.

30 Webb, Texas Rangers, 127.
Runnels, when he entered the executive office in 1858, was determined nonetheless to give the frontier adequate protection. Irritated by ineffectual federal policies and by lack of reimbursement, he maintained that:

These Indians have been intruded on us by passes from the authorities of the Government of the United States. It is the duty of that Government to remove them, and indemnify our citizens for the losses they have sustained by virtue of their intrusion.31

Despite his alarm over the frontier problem, Runnels advocated vigilant defense rather than inordinate aggression. Hence, he failed to patronize a campaign of extermination and this, coupled with the devastations suffered by the frontier settlers, incensed the westerners.

As the Indian raids on the exposed frontier grew more frequent and more pernicious, the westerner's hostility towards Runnels and the federal government increased. John S. ("Rip") Ford saw in the Indian raids an opportunity to berate the Union:

The citizens of this state are entitled to protection and they ought to have it. . . . If the United States refuse it let Texas assume high ground. Protection and allegiance go hand in hand. There is no

principle better established than that when a government fails or refuses to protect its citizens, the ties of allegiance are dissolved and they have a perfect right to take care of themselves. In my opinion, Texas has already had ample cause to sever her connection with the Union on this very head.\textsuperscript{32}

The unsatisfactory conditions on the frontier and Runnels' inability—or refusal—to cope with them gave Sam Houston another effective avenue through which to approach the gubernatorial canvass in 1859. Houston himself would not advance a program of pugnacious warfare against the Indians—peace was his traditional policy—but he did promise, if elected, to quiet them through a series of treaties and by an enlarged defensive corps.\textsuperscript{33} Doubtless the promises of the dynamic Houston in conjunction with the apparent failure of Runnels contributed materially to Houston's victory in 1859.\textsuperscript{34}

Spring in Texas—bluebonnets, blankets of them, covered the land. Slaves worked the damp cotton fields and watched the stalks grow taller, saw pink bolls begin

\textsuperscript{32}Ramsdell, "Frontier and Secession," 73, quoting Ford to H. R. Runnels, June 2, 1858.

\textsuperscript{33}See Richardson, Texas, 205; and Llerena B. Friend, Sam Houston, The Great Designer (Austin, 1954), 300-304.

\textsuperscript{34}See Wharton, Texas Under Many Flags, II, 42; and Ramsdell, "Frontier and Secession," 67.
to peek through the green leaves. In the west, where there were few slaves and little cotton, the settler and his family planted corn or rounded up stray cattle—between Indian raids. The days were ordinary, the activity routine, but over the days, activities, and people the atmosphere seemed clouded with tension. As the coming election loomed before them men almost unconsciously sensed its portent.

Houston, again campaigning as an Independent, could be seen decked in an old linen duster, and touring the state in a buggy. Unceasingly he pointed in the same direction—towards Jacksonian Democracy and Union. "My principles you all know," he said, and added:

I have ever been opposed to banks—opposed to internal improvements by the general Government—opposed to a distribution of the public land among the States—opposed to taking the power from the hands of the people—opposed to special monopolies—opposed to protective tariff—opposed to a latitudinous construction of the Constitution—opposed to slavery agitation and disunion. This is my democracy.36

In May the regular Democrats nominated Runnels and Lubbock for reelection. The platform, with the exception

35Richardson, Texas, 242.

36Eugene C. Barker and Amelia W. Williams (eds.), The Writings of Sam Houston, 1813-1863 (8 vols., Austin, 1941), VII, 351.
of a plank requesting the acquisition of Cuba, differed little from previous ones. Of reopening the African slave trade, there was no mention. That was not, however, a forgotten issue and its opponents assured Texans that radical Democratic leaders still favored the traffic.

Spokesmen for the Democracy appealed to the Constitution for the protection of slavery, moreover for the protection of the states' right to preserve and control the institution. "The present tendency of things is to the building up of a Southern Rights party on the one hand and a Union party on the other, as contradistinguished from the Democracy," wrote Reagan to the Texas Republican.37 And indeed the Texas Democracy was gravitating quickly to views held east of the Sabine River. Perhaps the Democracy was inclining eastward too rapidly, George Paschal, for instance, believed:

The time for a glorious revolution in the course of national Democracy has come. It is time to serve your old and devoted friend, General Houston. The Constitution, the Union, the frontier, state reforms, and a large debt of gratitude demand his

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37Reagan to Texas Republican (Marshall), September 17, 1859, in John H. Reagan Papers, Archives Collection, University of Texas (hereinafter cited as Reagan Papers).
services. Let us redeem the Democracy. 38

The desired redemption of Paschal's Democracy came, at least temporarily, for the imposing Houston defeated Runnels by nearly 9,000 votes. 39 No doubt Houston's personal popularity weighed heavily in the canvass since his running mate, Edward Clark, defeated Lubbock by a very narrow margin. 40

If, in some respects, the underlying issue seemed to be "union or disunion," the results of the election could not altogether be interpreted as a triumph of unionism. 41 Rather than screaming for secession, the Democratic leaders were earnestly priming men's minds for that moment when withdrawal would be necessary—according to the Southern code. To a majority of Texans in 1859, however, threats to the sovereignty of the southern states and to the stability of their institutions were

38 George W. Paschall to Smith, May 27, 1859, in Smith Papers.


41 See Anna Irene Sandbo, "Beginnings of the Secession Movement in Texas," in Southwestern Historical Quarterly, XVII (1914), 66.
as whispers, muffled and remote. The frontiersman, primarily concerned with his safety, was not ready in 1859 to defend the foreign slave trade or even slavery to the detriment of the Union. Furthermore, prudent men throughout the state, even if they favored filibusters or slave traffic, dreaded the dangers which might attend such radical activities. Certainly, caution characterized the election. Still Houston's victory did not halt the move to join the South; it only slackened the pace. And although Houston was joined in the state government by a predominantly regular Democratic legislature, he could hope that his victory reflected not respect for his personality, but reverence for his politics.

But neither Fate nor Fortune, events or emotions, symbols or realities favored Houston in his final effort to serve Texas. In October, John Brown raided Harpers Ferry to become a martyr in the North, a fanatic in the South. In November the Texas legislature elected Louis T. Wigfall, rabid "fire-eater", to the United States Senate—Wigfall's election logically succeeding Brown's raid.42

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42 See Sandbo, ibid.; Richardson, Texas, 242; and Friend, Sam Houston, 327.
Upon receiving news of his election, the Democratic state legislators responded with near-frenzied enthusiasm, which subsided only when the new senator rose to address the group. Wigfall said, in substance, that he was a Southern rights man, a State's rights man, and a Democrat; that the Democratic party stood endlessly by the Constitution; and that the Constitution protected all property in the states or territories. Moreover, he recognized no man as a Democrat who did not support the doctrine of strict construction and the Virginia and Kentucky Resolutions. And finally, Wigfall asserted that he neither believed in "the divine right of kings" nor in "the divine right of a Union without a Constitution." Houston's allies in the Legislature were outraged; obviously Wigfall's election to the Senate balanced Houston's election to the governorship. The once leisurely move towards a southern alliance began gradually to gain momentum. Then suddenly it was 1860, an election year, the crucial year.

The days of calm and cautious compromise had vanished, leaving in their wake not realities but symbols.

44 Ibid.
Texans, who, in 1850, chose to regard the fact of $10,000,000 above the abstraction of rights could, in 1860, see not the actualities of the present, but the phantasms of the future.

The Union itself became a proscenium of grim melodrama, with no time for comedy, no place for burlesque. To the Southerner every act was dramatic, often tragic. Watching the various scenes, not with the mind's eye, but with the heart's eye, the Southerner felt each personally. Thus he suffered the sting of William Seward's well-aimed "Higher Law" speech; he vicariously enjoyed Preston Brook's caning of Charles Sumner. "Bleeding Kansas" and the underground railroad demonstrated what he had long feared was true: the Northerner fully intended to rob him of his way of life. Each scene became a distorted symbol superimposed on the realities of Southern society—the institution of Negro slavery, the plantation system, the one-crop economy.

Paramount among the Southern shibboleths was the Republican party, to itself a symbol of democratic freedom, to the Southerner a symbol of unconstitutional tyranny. In 1856, "free soil, free speech, and Fremont" had gained 1,341,264 votes. To the Southerner, these

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45 Samuel E. Morison and Henry S. Commager, The Growth
represented not mere voters; they represented abolitionists, evil men who might say, "Slavery should not be extended," but really mean, "Slavery should be abolished." Here, in a popular election, the possibilites became threatening realities.

Southerners saw the executive branch as their last hope for equality in the Union. By controlling the presidency, the South felt it could repulse any abolitionists' assault on slavery. But to lose control of the presidency would leave the South with no decisive powers. Therein lay the Southerners' fear—fear not eased but aggravated by Republican activities before the 1860 election.

Threat to political supremacy was one thing; menace to the social order was quite another. The Republicans were both. Perched on seats of judgment, the abolitionists—Black Republicans—co-equal terms to Southern minds—pronounced to their backward brethren what "ought to be." To attack slavery, however, was to attack the Southerner, his security, his life, his code. The Southerner responded, defending himself with aggressive hatred. He both

envisioned the future and dreaded it. The Republican party loomed before him—northern, crude, fanatic, pretentious. The Republican loomed before him—northern, crude, fanatic, pretentious, sacrosanct, "nigger-loving." There was everything the South misunderstood and despised, encompassed in one political party and represented by a backwoods boor.

South Carolina, spearheading the movement for a southern defensive alliance, in December, 1859, sent Governor Houston and the Texas legislature a series of resolutions recommending immediate and united action by the southern states and requesting Texas to send deputies to a southern convention. The resolutions offered Houston an opportunity to counsel his colleagues. Maintaining that South Carolina had no just cause for action, that assaults on slavery would exist regardless of the government, and that in the Constitution and the Union lay the only hope of the country, Houston urged the Legislature to dissent from affirming the abstract right of secession and to refuse sending delegates to a southern convention.46

46 See Sandbo, "Beginnings of the Secession Movement," 69; and Barker and Williams, Writings of Sam Houston, VII, 429-441
Possibly Houston's entreaties were influential, because the Legislature did not act on the South Carolina resolutions. The committees to which the resolutions had been referred, however, did submit majority and minority reports, indicating that the legislators, at least, were aware of the deep sea of confusion into which the South was sinking. The senate majority report resolved to defend the Constitution and Union, while declaring the abolitionist-Black Republican attempt to gain control of the government unconstitutional. The majority defended the state's right to resist aggression or to secede, but the minority report did not admit the constitutional right of secession. Furthermore, the minority report stated that only if the federal government should become powerless to protect the rights of the states would Texas be justified in raising once again the "revolutionary standard." 47 Apparently, Texans' minds were muddled. There were so many questions to be considered, but the time for questioning was rapidly drawing to a close. Soon it would be time to act.

The days crowded into February. The nation trembled as Southern men pleaded for their Rights, Northern men

47 See Sandbo, ibid., 70.
shouted for the Right, judicious men in both sections counseled caution, Constitution, Union. It was so in Texas. Amelia Barr wrote that "disputes were bitter wherever men congregated." The threat posed by the Republicans was questioned. Some men considered the menace itself sufficient cause for secession while others advised "watchful waiting." Furthermore, said Amelia, the Texans were concerned over "state rights and furious that the United States should interfere in the social and domestic arrangements" of Texas. 48

Writing to his brother in Pennsylvania, Osterhout, now editor of the Bellville Countryman, said:

It is so difficult to get northern folks to believe anything that I thought I would hardly mention the subject anymore. But when land sells for 30 to 40 dollars per acre and negro men hire out for from 200 to 300 dollars per year and have to be fed, clothed, and doctored in the bargain, it would seem that men ought to know that slavery is popular and will continue to be for many years yet. Slaves have more than doubled in value in the last 8 years. The deep, undercurrent in the South is beginning to be strongly in favor of Secession. I have hopes, however, that public opinion at the North will change in a year or two.

All the Republican talk in our favor at the North amounts to nothing with us as long as they continue to vote against us and to wink at stealing our property. ... Nearly every Governor in the Southern States, if he expresses the sentiments of the masses generally, seems to take strong ground for defense and for organizing the militia preparatory to resistance should a Black Republican be elected President. Whether we could ever submit to see our custom houses, forts, arsenals, dockyards, and all other places of the General Government filled by raving abolitionists and free negroes, will be seen perhaps in the course of a year or two—Perhaps we'll submit—perhaps not—I think not—Unless the Charleston Convention nominates a conservative man, we can hardly predict what is in the future for us.49

By April, the Democratic leaders in Texas, if not the people themselves, had abandoned all restraint. Meeting at Galveston, the state convention blithely clarified its previously ambiguous position. That Texas possessed the right "to withdraw from the confederacy, and resume its place among the powers of the earth as a sovereign, and independent nation" was emphatically asserted. Although reiterating sincere attachment to the Constitution and Union, the convention declared that the election of a Republican president would provide ample cause to dissolve the Union in order to protect the rights which

49 Osterhout to Orlando Osterhout, February 11, 1860, in Osterhout Papers.
could not otherwise be secured. Furthermore, the convention
demanded federal protection for the frontier, a duty
which the government had plainly neglected. Finally, the
platform stated that "any effort by the Black Republican
party to disturb the happily existing subordinate con-
dition of the negro race in the South" would be regarded
as "violative of the organic act guaranteeing the supre-
macy of the white race" and should be fervently resisted.50

No faltering phrases, no uncertainties, no ambi-
guities—the attitude of the Democracy was determined,
deliberate. Texans, in 1859, elected a Unionist governor,
but by 1860, symbols were exaggerated and grotesque.
Both the symbolic threat and real threat of the abolition-
ists-Black Republicans were too overwhelming to be ignored.

Texas Democratic leaders, alive to the urgent polit-
ican situation, awaited the national Democratic convention
destined to assemble in hot and humid Charleston. There
the Texas delegates51 would demand a platform favoring

50 See Winkler, "Platforms of Political Parties," 81-84,
for the complete platform adopted by the Texas Democratic
Convention of 1860.

51 Texas delegates to the National Democratic convention
were H. R. Runnels, E. Greer, F. F. Foscue, and R. B.
Hubbard representing the Eastern congressional district;
and P. R. Lubbock, Josiah F. Crosby, Guy M. Bryan, and
F. S. Stockdale representing the Western congressional
district. See Winkler, ibid., 81.
slavery in the territories, embracing State Rights, and sustaining the "original" Constitution. Their wishes, however, were denied in Charleston; therefore, the Texas delegation with representatives from sister states, adjourned to Baltimore. That convention, in June, nominated its own standard bearers, John C. Breckinridge and Joseph Lane. Suddenly ideas were clear. The Southerners—including Texans—had long hailed State Rights, but State Rights was a chimera. What they really meant was Southern Rights.

The torrid Texas summer grew hotter as reports of incendiary fires and Negro uprisings circulated

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52 For an account of the activities at the Charleston and Baltimore conventions, see Dwight L. Dumond, The Secession Movement, 1860-1861 (New York, 1931), 77-92.

53 Reports of incendiary fires can be found in most Texas newspapers published July through September, 1860. Some of those reports were probably exaggerated; nevertheless, the fires were widely publicized throughout Texas and the South. Coupled with Negro insurrection plots, the incendiary fires provided an emotional framework in which to set rapidly increasing secession sentiment. See State Gazette (Austin), Galveston News, Houston Telegraph, and Belleville Countryman for contemporary accounts of the fires. For their emotional effects, see Anna Irene Sandbo, "The First Session of the Secession Convention of Texas," in Southwestern Historical Quarterly, XVIII (1914), 162-194; and Ollinger Crenshaw, "The Slave States in the Presidential Election of 1860," in Johns Hopkins University Studies in Historical and Political Science, LXII (1945), 89-111, 266-287.

54 For an account of the real, but poorly organized, Negro insurrection plot in 1860, see William W. White, "The
throughout the state. Emotions were aroused; men of
diverse political views yielded to the irrational tenor
of the times. As November came nearer, political dis-
cussions continued incessantly. To escape the arguments
was nearly impossible since all agreed that the approach-
ing election would determine the future of Texas and the
Union.

Union advocates, supporting a fusion ticket of
Stephen A. Douglas and John Bell,\(^{55}\) denounced the radical.
Southern "fire-eaters". "Shall the workmanship of Hamilton
and Madison and Washington give place now to the workman-
ship of [W. L.] Yancey and Jefferson Davis and Barnwell
Rhett?" asked William P. Ballinger.\(^{56}\) And Houston, cast
in the thankless role of a Cassandra, joined the inquiry:

What is there free that we have not? Are
our rights invaded and no government ready
to protect them? No! Are our institutions
wrested from us and others foreign to our
taste forced upon us? No! . . . Has our

Texas Slave Insurrection of 1860," in Southwestern Historical

55 See Crenshaw, "Slave States in the Presidential Election

56 This quotation was found in the original draft of a
speech delivered by Ballinger in Galveston, August 23,
1860. See Ballinger Family Papers, Rosenberg Library,
Galveston, Texas.
property been taken from us and the government failed to interpose when called upon? No. none of these! We have yet the Constitution; we have yet just laws and officers to administer them, and an army and navy ready to maintain any and every constitutional right of the citizen. Whence, then, this clamor about disunion? Whence this cry of protection to property, or disunion? . . . Are we to sell reality for a phantom? 57

A majority of Texans, however, preferred to listen to the sometimes eloquent, sometimes apologetic, speeches delivered throughout the state by regular Democrats. Judge Roberts, for instance, in reply to a Unionist rally in Austin maintained that:

There is no agrarian spirit abroad in this country. There is no war of classes. There is no conflict between labor and capital. Our people are not seeking or asking to extort favors from the government to themselves, or to deprive others of any rights. They have no desire for a social rupture at home. Their excitement arises from an entirely opposite cause—a high resolve now to throw themselves in the breach; not to destroy, but to protect rights; not to destroy life, but to make life worth having; not to produce discord, but to end it. This excitement is not a shallow, noisy ripple, but a deep, irresistible current, springing from the firmest convictions of the mind. 58

57See Louis J. Wortham, A History of Texas (5 vols., Fort Worth, 1924), IV, 307-308; and Barker and Williams, Writings of Sam Houston, VIII. 147.

Houston was joined by Ballinger, Flake, and James W. Throckmorton in his support of the Union. But their voices—and those of men who shared their loyalties—could not be heard above the tumult—"Breckinridge," "Secession," "Southern Confederacy," Given time. . . .

But Houston was not given time. It was November 6, 1860, and of an estimated 70,000 legal voters, 59 62,986 trekked to the polls. 60 Seventy-five per cent of the men favored Breckinridge; twenty-five per cent supported Bell and the Union. But the Black Republican from Illinois—to Southern minds, the prototype of the frenzied abolitionist—was triumphant. Soon, Texans believed, Lincoln would free the slaves, subdue the South, deprive it of political equality, and divest it of a way of life.

Secession and the subsequent establishment of a Southern Confederacy seemed imminent. Houston, though deprecating Lincoln's election, urged the people to

60 See Winkler, "Platforms of Political Parties," 649. Breckinridge received 47,548 votes or 74.49 per cent of the total; Bell received 15,438 votes or 24.51 per cent of the total. Texans cast no votes for Lincoln.
"pause and ponder well before taking any action outside of the Constitution." Simultaneously R. B. Hubbard was urging Texans to "take advantage of this violation of plighted faith, this violation of the articles of annexation of Texas to the Union." The Germans in Comal County declared that Lincoln's election endangered the institutions of the South and if the North did not guarantee its rights, Texas should "peacefully or forcefully demand a return of all the powers and rights delegated to the United States."

The days passed quickly after November. Amid cries for secession, whispers were heard of a Lone Star Association--Texas, a republic once again. But that tardy attempt earned few adherents. December in South Carolina... February in Texas... And the dream of Texas nationalism,

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61 Barker and Williams, Writings of Sam Houston, VIII, 206-208; and Friend, Sam Houston, 321-354.
62 R. B. Hubbard to Roberts, November 26, 1860, in Roberts Papers.
63 See Biesele, History of the German Settlements, 205.
64 See William Pitt Ballinger Diary, December 21, 1860 (deposited in Rosenberg Library, Galveston, Texas). For accounts of Houston's efforts to reestablish a republic see Webb, Texas Rangers, 197-216; and Friend, Sam Houston, 333-335.
the dream of Texas sovereignty within a compact Union of equal states, succumbed to a romantic dream of southern nationalism, a Southern Confederacy.
A CRITICAL NOTE ON MANUSCRIPTS

I

The following manuscript is deposited in the Rice Institute Library, Houston, Texas.

The Rice Institute Library, Houston, Texas, recently acquired the John Patterson Osterhout Papers, a collection of considerable interest because of Osterhout's unusual background. He was a transplanted Pennsylvanian of German heritage who came to Texas in 1852 and soon converted to the Southern viewpoint. He became a land agent and later was editor of the Bellville Countryman. Osterhout anticipated the twentieth century "status-seeker." To acquire social status in the ante-bellum South, one slave at least was a necessity; Osterhout owned one and was continually searching for another--it was the "thing to do." There are numerous business papers (land claims, deeds, promissory notes) in the collection; the personal letters, however, are of special interest to this thesis. These letters were directed to the family, especially brother Orlando, in Pennsylvania, and contained many comments on slavery, the Negro, and politics, which certainly must not have been favorably received by the folks at home. The items in this collection date through World War I.
The following manuscripts are deposited in the Rosenberg Library, Galveston, Texas.

The William Pitt Ballinger diary is a useful source for at least three reasons. First, it is a personal chronicle of Union views in those months before secession; second, it is an account of Galveston and Gulf Coast business trends (Ballinger was a partner in the law firm of Ballinger and Jack); third, the diary, written by a prominent Galvestonian, is a reflection of "urban" society, its leisure habits and its means of intellectual stimulus. Some acquaintance with Texas personalities on the part of the user makes this diary more intelligible, for names often appear in it without full identification.

The Ballinger Family Papers are primarily business statements, accounts, and legal documents. As such, they were of secondary importance to this thesis. The collection, however, does contain a speech given by Ballinger before the 1860 presidential election. It is a Unionist speech and one of the few available except for those of Sam Houston.

Descriptions of frontier life and Indian depredations, pro-slavery attitudes, and anti-Houston sentiments characterize the David G. Burnet Papers. Burnet, with Ashbel Smith, Sidney Sherman, and Mirabeau B. Lamar, was a prominent figure in the movement against Sam Houston's candidacy for governor in 1857 and again in 1859. Their enmity dated back to the
battle of San Jacinto in 1836. For the student of Texas frontier history there is a storehouse of information in Burnet's son's letters to his family, dated 1859-1860.

The John W. Lockhart Collection contains little of value on the period of the 1850's. There are, however, several studies on early Texas and Galveston history. Written by Lockhart for private use (or perhaps local school use) they are of doubtful authority and should be used with caution.

Perhaps the Sidney Sherman Papers dated during the Civil War would be beneficial in a study of Galveston during that era; the papers dated from 1850-1860, however, are primarily of social interest. Most of them were written by the Sherman children in Harrisburg to their mother in Galveston and, unfortunately, contain only a few casual references to General Sherman's railroad activities.

The John O. Trueheart Papers are of interest only after the 1860 presidential election. They express the view that secession, though honorably necessary, is better called revolution. Charles M. Trueheart, a student at the University of Virginia, corresponded frequently with his father on his fellow students' views. The Trueheart family was from Virginia; they furnish another example of Southerners who brought their Southern ideals to Texas.
The following manuscripts are deposited in the Archives Collection, University of Texas, Austin, Texas.

The Guy M. Bryan Papers are of considerable importance to the student of early Texas politics. A wealthy planter and prominent State Rights Democrat himself, Bryan communicated with many of the nation's and state's leading politicians. Of particular interest are D. C. Dickson's letters to Bryan. Dickson, the Know-Nothing gubernatorial candidate in 1855, went to some lengths to convince Bryan that he (Dickson) was in reality a staunch State Rights Democrat; his only shift from orthodoxy was the advocacy of a strict naturalization law. In addition, the present writer should note that it was a letter from George M. Dallas, Vice-President of the United States, 1844-1848, to Bryan, which gave her the theme around which to develop this thesis. Unfortunately, Bryan's letters to Dallas and Dickson, for example, are not available; hence, it is presently impossible to discover what views evoked the replies. This collection also contains many letters from western settlers entreat ing Bryan to do something about the Indian raids and depredations which grew worse between 1857 and 1859.

Of less value are Bryan's letters to his brother, Moses Austin Bryan. These letters (typescript) are of a more personal nature; many of them deal with Bryan's trip to New
York City in search of medical care for his epileptic sister. Others contain instructions for handling platation business matters. Bryan frequently encouraged his brother to campaign actively for him during his absence. Because of these letters and the "holier-than-thou" tone in which they were written, the present writer was left with something less than admiration for Bryan.

The Edward Burleson Papers, dated 1850-1860, should be invaluable to the student working on Texas frontier defense. This collection contains several official reports to and instructions from Governor Hardin R. Runnels (1857-1859) on Indian affairs. In addition, there are several letters in which Burleson admits his loyalty to the Know-Nothing party, which was growing rapidly in Texas during the middle 1850's.

John Salmon ("Rip") Ford's Memoirs are of prime interest to the student of Texas Indian affairs or the Texas Rangers. Ford, like Mirabeau B. Lamar and Sam Houston, was a Texas nationalist, bent on adding Mexico to the vast domain of Texas. As such, he reflects a viewpoint which had some popular support in Texas throughout the '50's. Personal memoirs, however, are usually suspect and Ford was probably guilty of that human frailty of giving himself too much credit for the course of history. Nevertheless, the memoirs should be invaluable in a study of the Texas frontier.

The John H. Reagan Papers consulted for this study covered the period from 1857-1861. The collection in its
entirety spans the years to 1880. The papers are definitely political in nature but much of the thought seems to be superficial—as in Reagan's *Memoirs*. Reagan advocated constitutional rights within the Union and changed his views only when secession appeared inevitable. He seldom commented on others' political views or noted popular sentiment on contemporary issues. Because of this "one-sidedness" in the Reagan collection, the O. M. Roberts Papers and the T. J. Rusk Papers were far more helpful to the present writer.

Roberts was an Associate Justice of the Texas Supreme Court and later President of the Secession Convention. His correspondents were numerous; among the most interesting of them was Henry Sublett of Brenham. Sublett's chief concern, as he wrote Roberts, was the ever-widening breech between western and eastern Texas. Sublett's letters are noteworthy, also, because they pinpoint Roberts' early political attitudes—secession sentiments in 1850-1851.

The Thomas J. Rusk Collection is a large and valuable one, containing well over 2,000 items. Rusk, United States senator until his death in 1857, received letters from both "well-knowns" and "unknowns." Many of the letters in the collection are pleas for better postal routes, for postal appointments, for railroads. A few letters reflect Rusk's dissatisfaction with Sam Houston's Know-Nothing affiliation. Taken as a whole, the Rusk papers were the most significant manuscript source for this thesis.
Of a different nature are the Ashbel Smith Papers. Smith was a man of many talents, a man of considerable intellect in a frontier area where his ornithological and philological interests were an anachronism. Smith's pro-slavery views are shown as well as his interest in Democratic party development in Texas. The collection also includes letters to and from Smith's plantation overseer on the problems inherent in farming with slave labor. This collection is so interesting and so valuable that it deserves the attention of a capable editor.

As far as the writer could ascertain, the manuscript sources in the various Texas libraries have never been fully consulted for a work on Texas history from 1850-1860. Certainly, no attempt has been made to synthesize the '50's in Texas. There is definitely a need for a complete check list of manuscripts presently available to students of Texas history. While the periods of Texas colonization, independence, and the Republic are well supplied in both primary and secondary sources, there is a real dearth of catalogued primary sources or good secondary material dealing with the first fifteen years of Texas statehood.
MANUSCRIPTS

Ballinger Family Papers, Rosenberg Library, Galveston, Texas.

William Pitt Ballinger Diary (typescript), Rosenberg Library, Galveston, Texas.

Guy M. Bryan Papers, Archives Collection, University of Texas, Austin, Texas.

Guy Morrison Bryan to Moses Austin Bryan Letters, 1838-1859 (typescript), Archives Collection, University of Texas, Austin, Texas.

Edward Burleson Letters, 1821-1876, Archives Collection, University of Texas, Austin, Texas.

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Resolved, That the American Democracy place their trust in the intelligence, the patriotism, and the discriminating justice of the American people.

Resolved, That we regard this as a distinctive feature of our political creed, which we are proud to maintain before the world as the great moral element in a form of government springing from and upheld by the popular will; and we contrast it with the creed and practice of Federalism, under whatever name or form, which seeks to palsy the will of the constituent, and which conceives no imposture too monstrous for the popular credulity.

Resolved, therefore, That, entertaining these views, the Democratic party of this Union, through their Delegates assembled in general convention of the States, coming together in a spirit of concord, of devotion to the doctrines and faith of a free representative government, and appealing to their fellow-citizens for the rectitude of their intentions, renew and reassert before the American people the declaration of principles avowed by them when, on a former occasion, in general convention, they presented their candidates for the popular suffrage.

1. That the Federal Government is one of limited powers, derived solely from the Constitution; and the grants of power shown therein ought to be strictly construed by all
the departments and agents of the Government; and that it is inexpedient and dangerous to exercise doubtful constitutional powers.

2. That the Constitution does not confer upon the General Government the power to commence and carry on a general system of internal improvements.

3. That the Constitution does not confer authority upon the Federal Government, directly or indirectly, to assume the debts of the several States, contracted for local internal improvements, or other State purposes; nor would such assumption be just and expedient.

4. That justice and sound policy forbid the Federal Government to foster one branch of industry to the detriment of another, or to cherish the interests of one portion to the injury of another portion of our common country; that every citizen, and every section of the country, has a right to demand and insist upon an equality of rights and privileges, and to complete and ample protection of persons and property from domestic violence or foreign aggression.

5. That it is the duty of every branch of the Government to enforce and practice the most rigid economy in conducting our public affairs, and that no more revenue ought to be raised than is required to defray the necessary expenses of the Government, and for the gradual but certain extinction of the debt created by the prosecution of a just and necessary war, after peaceful relations shall have been restored.
6. That Congress has no power to charter a national bank; that we believe such an institution one of deadly hostility to the best interests of the country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a concentrated money power, and above the laws and the will of the people; and that the results of Democratic legislation, in this and all other financial measures upon which issues have been made between the two political parties of the country, have demonstrated to candid and practical men of all parties, their soundness, safety, and utility in all business pursuits.

7. That Congress has no power under the Constitution to interfere with or control the domestic institutions of the several States, and that such States are the sole and proper judges of everything appertaining to their own affairs, not prohibited by the Constitution; that all efforts of the Abolitionists or others made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences; and that all such efforts have an inevitable tendency to diminish the happiness of the people and endanger the stability and permanence of the Union, and ought not to be countenanced by any friend to our political institutions.
8. That the separation of the moneys of the Government from banking institutions is indispensable for the safety of the funds of the Government and the rights of the people.

9. That the liberal principles embodied by Jefferson in the Declaration of Independence, and sanctioned in the Constitution, which makes ours the land of liberty, and the asylum of the oppressed of every nation, have ever been cardinal principles in the Democratic faith, and every attempt to abridge the present privilege of becoming citizens and the owners of soil among us, ought to be resisted with the same spirit which swept the alien and sedition laws from our statutebook.

Resolved, That the proceeds of the public lands ought to be sacredly applied to the national object specified in the Constitution; and that we are opposed to any law for the distribution of such proceeds among the States, as alike inexpedient in policy and repugnant to the Constitution.

Resolved, That we are decidedly opposed to taking from the President the qualified veto power, by which he is enabled, under restrictions and responsibilities amply sufficient to guard the public interests, to suspend the passage of a bill whose merits cannot secure the approval of two-thirds of the Senate and House of Representatives, until the judgment of the people can be obtained thereon, and which has saved the American people from the corrupt and tyrannical
domination of the Bank of the United States, and from a corrupting system of general internal improvements.

Resolved, That the war with Mexico, provoked on her part by years of insult and injury, was commenced by her army crossing the Rio Grande, attacking the American troops, and invading our sister State of Texas; and that, upon all the principles of patriotism and laws of nations, it is a just and necessary war on our part, in which every American citizen should have shown himself on the side of his country, and neither morally nor physically, by word or by deed, have given 'aid and comfort to the enemy.'...

Resolved, That the fruits of the great political triumph of 1844, which elected James K. Polk and George M. Dallas President and Vice-President of the United States, have fulfilled the hopes of the Democracy of the Union--in defeating the declared purposes of their opponents to create a national bank; in preventing the corrupt and un-constitutional distribution of the land proceeds from the common treasury of the Union, for local purposes; in protecting the currency and the labor of the country from ruinous fluctuations, and guarding the money of the people for the use of the people, by the establishment of the constitutional treasury; in the noble impulse given to the cause of free trade, by the repeal of the tariff in 1842 and the creation of the more equal, honest, and productive tariff of 1846; and that in our opinion, it would be a fatal error
to weaken the bands of political organization by which these
great reforms have been achieved, and risk them in the hands
of their known adversaries, with whatever delusive appeals
they may solicit our surrender of that vigilance, which is
the only safeguard of liberty....
APPENDIX II

DEMOCRATIC NATIONAL PLATFORM OF 1852

(See Resolutions 1-7, Democratic National Platform of 1848)

8. That the liberal principles embodied by Jefferson in the Declaration of Independence, and sanctioned in the constitution, which make ours the land of liberty and the asylum of the oppressed of every nation, have ever been cardinal principles in the democratic faith; and every attempt to abridge the privilege of becoming citizens and the owners of the soil among us ought to be resisted with the same spirit that swept the alien and sedition laws from our statute-books.

9. That Congress has no power under the constitution to interfere with or control the domestic institutions of the several States, and that such States are the sole and proper judges of everything appertaining to their own affairs not prohibited by the constitution; that all efforts of the abolitionists or others made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences; and that all such efforts have an inevitable tendency to diminish the happiness of the people and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions.
Resolved, That the foregoing proposition covers, and was intended to embrace, the whole subject of slavery agitation in Congress; and therefore the democratic party of the Union, standing on this national platform, will abide by and adhere to a faithful execution of the acts known as the compromise measures settled by the last Congress — "the act for reclaiming fugitives from service or labor" included; which act, being designed to carry out an express provision of the constitution, cannot, with fidelity thereto be repealed nor so changed as to destroy or impair its efficiency.

Resolved, That the democratic party will resist all attempts at renewing, in congress or out of it, the agitation of the slavery question, under whatever shape or color the attempt may be made.

Resolved, That the proceeds of the public lands ought to be sacredly applied to the national object specified in the Constitution; and that we are opposed to any law for the distribution of such proceeds among the states as, alike inexpedient in policy and repugnant to the constitution....

Resolved, That the democratic party will faithfully abide by and uphold the principles laid down in the Kentucky and Virginia resolutions of 1798, and in the report of Mr. Madison to the Virginia legislature in 1799; that it adopts those principles as constituting one of the main foundations of its political creed, and is resolved to carry them out in their obvious meaning and import....
Resolved, 1. That the Democratic party of the State of Texas heartily concur in and unanimously reaffirm the principles of the Democratic party of the Union and the Constitution, as embodied in the following resolutions of the National Democratic convention of 1852, as a true expression of their political faith and opinion, believing them to embrace the only doctrines which can preserve the integrity of the Union and the equal rights of the States.

2. That the Democracy of Texas are opposed to all secret political societies, whether called Americans, Know-Nothings, or any other delusive name; that all experience has shown that political combinations, the members whereof are bound together by oaths, covenants, or pledges are opposed to that freedom of action which is the essence of political liberty; and that public and unrestricted discussion of all matters of public concern is essential to the perpetuity of our free institutions.

3. That the Democracy of Texas are opposed to all proscription on account of place of birth or particular religious creed; that the guarantees, contained in our State and Federal constitutions, of freedom of religious faith and worship, are one of the chief cornerstones of our republican edifice, and a principal support of our National liberty and
prosperity; that any attempt to deny the right of our adopt-
ed citizens to a participation in the affairs of the govern-
ment, to the extent conferred in the Constitution of the
United States, is anti-republican, opposed to the principles
of the Declaration of Independence, and should be resisted
by all who are devoted to the principles of justice and
equality which characterize that Constitution, and which
have made our country the asylum for the oppressed of every
land, the persecuted of every faith, and the home of civil
and religious liberty.

4. The Democracy of the State of Texas regards the
passage of the Kansas-Nebraska Act as a triumph of the
Constitution over fanaticism and sectional madness, and
would regard its repeal as a violation of the spirit of the
Constitution, and an outrage upon the rights of the Southern
States of the Union; they insist upon the old Democratic
doctrines of States' rights, and a strict construction of
the Constitution, as cardinal principles of the Democratic
faith; that the principles of nonintervention by the Federal
government is a doctrine of the Constitution, alike appli-
cable to States and Territories; and any attempt on the
part of Congress to prohibit slavery in any territory that
may hereafter be organized, or to restore the Missouri
Compromise, or to repeal the Fugitive Slave Law, or to re-
fuse to admit any new State that may hereafter apply for
admission into the Union on account of slavery being reco-
gnized in its constitution, or to impose any restriction on
the subject of slavery on any new State so applying, not imposed on the original thirteen States, or to impose any restriction upon the trade and intercourse between the slave States, or to abolish slavery in the District of Columbia, would be a violation of this principle, and should be regarded as an attempt to trample on the Constitution and dissolve the Union, and should be resisted at every hazard, and to the last extremity.

5. That the citizens of the Southern States have the indefeasible right to carry their slaves into any territory belonging to the United States and there to exercise and enjoy all the rights of ownership and property, as freely and as fully as in the State from which they emigrate; and that any interference with, or obstruction to, the enjoyment and exercise of their rights as Southern citizens, by the government of the United States, or by the inhabitants of such territory, would be a violation of the rights of the Southern States, which they possess as sovereign States, and coequal members of the American confederacy....

13. That the Secret Legion of Kansas, an organization of abolitionists within the territory of, and fostered, supported, and encouraged by the abolitionists of the North, and intended to control its government, is at war with the principles of the Constitution and subversive of free government; and that we cordially sympathize with the citizens of said territory; and that the citizens of Missouri who have
removed into said territory deserve the gratitude and warm support of all the friends of the Union and the Constitution.

14. That this convention do most fully and cordially indorse and approve the votes of Thos. J. Rusk, Geo. W. Smyth and P. H. Bell upon the Kansas-Nebraska Act, and that we do further most decidedly disapprove of the vote of Sam Houston upon the act, as not in accordance with the sentiments of the Democracy of Texas.

15. That this convention congratulate the people of Texas most heartily upon the reelection of E. M. Pease as governor of the State of Texas, and that while they differ with him in his views upon certain questions of State policy, they most cordially commend him as a faithful and efficient officer.
APPENDIX IV

DEMOCRATIC NATIONAL PLATFORM 1856

(See Resolutions 1-7, Democratic Platform of 1848)

And Whereas, Since the foregoing declaration was uniformly adopted by our predecessors in National Conventions, an adverse political and religious test has been secretly organized by a party claiming to be exclusively American, it is proper that the American Democracy should clearly define its relation thereto, and declare its determined opposition to all secret political societies, by whatever name they may be called.

Resolved, That the foundation of this union of States having been laid in, and its prosperity, expansion, and pre-eminent example in free government, built upon entire freedom in matters of religious concernment, and no respect of person in regard to rank or place of birth; no party can justly be deemed national, constitutional, or in accordance with American principles, which bases its exclusive organization upon religious opinions and accidental birth-place. And hence a political crusade in the nineteenth century, and in the United States of America, against Catholic and foreign-born is neither justified by the past history or the future prospects of the country, nor in unison with the spirit of toleration and enlarged freedom which peculiarly distinguishes the American system of popular government.
1. That Congress has no power under the Constitution, to interfere with or control the domestic institutions of the several States, and that such States are the sole and proper judges of everything appertaining to their own affairs, not prohibited by the Constitution; that all efforts of the abolitionists, or others, made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences; and that all such efforts have an inevitable tendency to diminish the happiness of the people and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions.

2. That the foregoing proposition covers, and was intended to embrace the whole subject of slavery agitation in Congress; and therefore, the Democratic party of the Union, standing on this national platform, will abide by and adhere to a faithful execution of the acts known as the compromise measures, settled by the Congress of 1850; "the act for reclaiming fugitives from service or labor", included; which act being designed to carry out an express provision of the Constitution, cannot, with fidelity thereto, be repealed, or so changed as to destroy or impair its efficiency.

3. That the Democratic party will resist all attempts at renewing, in Congress or out of it, the agitation of the slavery question under whatever shape or color the attempt may be made.
4. That the Democratic party will faithfully abide by and uphold, the principles laid down in the Kentucky and Virginia resolutions of 1798, and in the report of Mr. Madison to the Virginia Legislature in 1799; that it adopts those principles as constituting one of the main foundations of its political creed, and is resolved to carry them out in their obvious meaning and import.

And that we may more distinctly meet the issue on which a sectional party, subsisting exclusively on slavery agitation, now relies to test the fidelity of the people, North and South, to the Constitution and the Union—

1. Resolved, That claiming fellowship with, and desiring the co-operation of all who regard the preservation of the Union under the Constitution as the paramount issue—and repudiating all sectional parties and platforms concerning domestic slavery, which seek to embroil the States and incite to treason and armed resistance to law in the Territories; and whose avowed purposes, if consummated, must end in civil war and disunion, the American Democracy recognize and adopt the principles contained in the organic laws establishing the Territories of Kansas and Nebraska as embodying the only sound and safe solution of the "slavery question" upon which the great national idea of the people of this whole country can repose in its determined conservatism of the Union—NON-INTERFERENCE BY CONGRESS WITH SLAVERY IN STATE AND TERRITORY, OR IN THE DISTRICT OF COLUMBIA.
2. That this was the basis of the compromises of 1850 confirmed by both the Democratic and Whig Parties in national Conventions— ratified by the people in the election of 1852, and rightly applied to the organization of Territories in 1854.

3. That by the uniform application of this Democratic principle to the organization of territories, and to the admission of new States, with or without domestic slavery, as they may elect—the equal rights, of all the States will be preserved intact—the original compacts of the Constitution maintained inviolate—and the perpetuity and expansion of this Union insured to its utmost capacity of embracing, in peace and harmony, every future American State that may be constituted or annexed, with a republican form of government.

Resolved, That we recognize the right of the people of all the Territories, including Kansas and Nebraska, acting through the legally and fairly expressed will of a majority of actual residents, and whenever the number of their inhabitants justifies it, to form a Constitution, with or without domestic slavery, and be admitted into the Union upon terms of perfect equality with the other States.

Resolved, Finally, That in view of the condition of popular institutions in the Old World (and the dangerous tendencies of sectional agitation, combined with the attempt to enforce civil and religious disabilities against the rights
of acquiring and enjoying citizenship, in our own land) — a high and sacred duty is devolved with increased responsibility upon the Democratic party of this country as the party of the Union, to uphold and maintain the rights of every State, and thereby the Union of the States; and to sustain and advance among us constitutional liberty, by continuing to resist all monopolies and exclusive legislation for the benefit of the few, at the expense of the many, and by a vigilant and constant adherence to those principles and compromises of the Constitution, which are broad enough and strong enough to embrace and uphold the Union as it was, the Union as it is, and the Union as it shall be, in the full expansion of the energies and capacity of this great and progressive people....