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## OCCUPATION OF NACOGDOCHES

ROBERT L. AND PAULINE JONES

During 1836 Nacogdoches, the Sabine, and East Texas came to be for people of the United States more than strange names and unfamiliar locations on a map. The revolution in Texas aroused sympathy in the States and seemed to give the administration an opportunity to improve its image at home and perhaps secure territory it had heretofore sought without success. Washington realized any plan made on the Potomac would emphasize the significance of the unmarked boundary from the Gulf to Red River. Therefore, General Edmund P. Gaines, in command of the Western Department of the Army, was ordered to assume supervision of the situation along this border. In his effort to carry out instructions, promote his own as well as what he believed to be the will of the public, and the personal desire of the President, he stationed troops at Nacogdoches. This resulted in a diplomatic break with Mexico, a bit of political legerdemain by President Jackson, and revived, as a public issue, the long-standing rivalry among the ranking generals of the army.

The United States and Mexico had not found a basis for the cordial relationship each had expected when the latter became an independent republic. Nevertheless, on April 5, 1831, they signed a treaty of Amity, Commerce and Navigation, the 33rd article of which provided that the two governments would strive to maintain peace and harmony among the Indians "who inhabit the lands adjacent to the lines and rivers which form the boundaries of the two countries." The better to attain this objective, each "expressly" agreed to prevent Indians living in its territory from committing hostilities against either citizens or of Indians living within the other's jurisdiction. This provision was destined to be most troublesome.<sup>1</sup>

With the outbreak of the Texas Revolution, Indians in the northeast who had long sought, without success, recognition of legal title to the land on which they lived, appeared to be presented an improved bargaining position. Since Mexico had least to lose, it seemed logical, to the Anglo-Saxon mind, that she could afford to make greater concessions. Acting upon this assumption, the provisional government and many private citizens in Texas appealed to the United States for help of any and every description. Especial emphasis was placed upon the prevention of Indians crossing the border to aid Mexico.<sup>2</sup> Great sympathy as well as a desire to aid was found in the southern states. To assure the public that the government was aware of conditions, on December 7, 1835, President Jackson reported to Congress that a policy of strict neutrality had been adopted in regard to the situation in Texas and "it has been thought necessary to apprise the Government of Mexico that we should require the integrity of our territory to be scrupulously respected by both parties."<sup>3</sup>

Washington, sensitive to public opinion, concluded that Mexican authorities might seek to recruit Indians along the unmarked Arkansas-Louisiana

boundary to help crush the insurrection. Some of these lived or had recently lived in the United States, therefore, their use in a military capacity would be a violation of the treaty. Since General Gaines was at the time directing the war against the Seminoles, a letter dated January 22, 1836, from the office of the Adjutant General called his attention to the situation.<sup>4</sup> The following day Secretary of War Lewis Cass sent him orders to repair to a position near the western boundary of Louisiana and assume personal direction of all troops along that frontier. He was told it was the duty of the United States to "remain entirely neutral and to cause their neutrality to be respected." For this purpose the 6th regiment was to be ordered to Ft. Jesup. These with troops in Western Louisiana and the country beyond the Mississippi and south of the Missouri, he was advised, might be used to enforce the administration's decision.<sup>5</sup>

The order reached General Gaines at New Orleans on March 28. He set out for his new post immediately and from Baton Rouge the following day wrote the Secretary of War that if he found "any disposition on the part of the Mexicans or their red allies to menace our frontier, I cannot but deem it my duty to . . . anticipate their lawless movements, by crossing our supposed or imaginary national boundary, and meeting the savage marauders wherever to be found in their approach toward our frontier." In case the department approved, he would need mounted volunteers.<sup>6</sup>

On his way toward the front, Gaines heard alarming reports of Indian hostilities. April 4 he arrived at Natchitoches and the following day sent Lieutenant Joseph Bonnell to the Caddo village in search of information. At the same time he ordered commanders at Ft. Towson and Ft. Gibson to turn back any Texans or Mexicans who might attempt to cross the boundary, also to prevent, as far as possible, Indians living in the United States from joining in the hostilities.<sup>7</sup>

On April 8, Gaines wrote Secretary Cass that he had ordered six or eight companies of the 7th infantry at Ft. Gibson to service between Ft. Towson and Ft. Jesup. He also reported calls upon the governors of Louisiana, Mississippi, and Tennessee for a brigade each and the governor of Alabama for a battalion of volunteers.<sup>8</sup> He explained to the governors that the President considered it the duty of the United States, in accordance with treaty obligations, "to remain entirely neutral and cause their neutrality to be respected—peaceably, if possible; forcibly if necessary." To implement this decision he informed the various tribes along the border, also those on the Red and Arkansas rivers, that the United States was determined to prevent any incursion into Texas. He called upon the chiefs to warn their people of the necessity for a scrupulous adherence to terms of the treaty of 1831, and explained that he would not hesitate to use the forces under his command to prevent further violation or to punish that which had already occurred.<sup>9</sup>

Manuel Flores, General Gaines believed, was commissioned by Mexican authorities to persuade the Indians to join in a war of extermination. He had information that this agent had recently been on Red river and produced considerable excitement among the Caddoes and other tribes, some of whom had crossed into Texas. These events made it necessary for him

to decide whether or not to stop the movement by force before the whites on both sides of the boundary were placed at the mercy of the savages. Since it would take at least a month, which might prove fatal to a large section of the frontier, to submit the issue to the President, and since General Gaines believed he knew what President Jackson would say, he decided to move ahead when a sufficient number of mounted men were available<sup>10</sup>

Reports of atrocities continued to reach Natchitoches. Early in the morning of April 14, General Gaines was informed that some 1500 to 2000 Indians had joined about 1000 mounted Mexicans, said to be the detachment which Colonel Travis's servant Jo had reported left San Antonio after the fall of the Alamo, taking the Bastrop road. Four days earlier the combined force was rumored to have "camped about 60 miles from Nacogdoches and 30 north of the road leading from that place to Trinity." It was supposed at least 300 families lived along the route this enemy was reported following.<sup>11</sup> Immediately upon receipt of the information, General Gaines ordered five companies of the 3rd and 8th companies of the 6th infantry to move from Ft. Jesup to the Sabine river, "where they went into encampment on the site of Wilkinson's former camp," the place designated thereafter as Camp Sabine. These troops carried thirty-five rounds of ammunition and twelve days rations; they also had two field pieces with seventy-five rounds of ammunition for each.<sup>12</sup>

The General followed the troops and established his headquarters at the camp. Along the road he "met several hundred Texians women and children with some men retiring under the influence of great panic." Most of these, he learned, were from the neighborhood of Nacogdoches, fleeing from the reported victorious Mexicans and their red allies. Upon reaching the Sabine, he was surprised to hear no confirmation of additional Indian hostilities. He learned of only one man's having been killed and the circumstances, as reported, did not indicate a spirit of general hostility. He decided to hold the troops east of the river but to warn the Indians, especially the Cherokees, through their chief Bowles, that the United States would punish them if they attacked settlers along either side of the boundary.<sup>13</sup>

In the meantime, Lieutenant Bonnell had visited the Caddoes and learned that Flores had been at the villages seeking to persuade the Indians to attack the Texans. They had refused, saying they wished to live in peace and since all Americans were kin, if the redmen attacked those on one side of the boundary those on the other side would come and destroy them. Gaines received Bonnell's report on April 20. The same day he wrote Cass of the fall of the Alamo, "the runaway scrape," and Houston's retreat. The Mexican successes, he was convinced would encourage more Indian hostility.<sup>14</sup>

Since little unfriendly action by the Indians could be observed, he feared the administration's policy might be questioned, the movement of troops criticized and demands made that the call for volunteers be rescinded. To guard against such possibilities, General Gaines wrote the Secretary of War justification for what had been done. He pointed out that Flores

was a "zealous and efficient" agent seeking to encourage the savages to strike. Some of the Caddoes were admittedly hesitant but most of the warriors were away, reported to be hunting, but a number of circumstances indicated they might be gathering with other and more numerous tribes on the upper branches of Red River where with mounted Comanches they could descend upon settlements along the Sabine and Neches rivers. Such a move in cooperation with the Cherokees would demoralize the frontier by destroying hundreds of lives and millions of dollars worth of property. In view of these facts, Gaines urged that it was highly desirable for his plan to be pursued and the volunteers be on the frontier as soon after May 1 as possible. By that time grass would be sufficient, supplemented with a little corn, to sustain the horses. This was also the season when water and weather were most favorable for the troops and the Indians were most vulnerable.<sup>15</sup>

To those familiar with Indian warfare, there were other arguments that supported the proposed concentration. The earliest possible rendezvous was desirable, for in fighting the redmen, experience had proved that the best plan was to employ a sufficient number of mounted troops to capture or punish the first offenders. Most people on the frontier believed that should there be no fighting the presence of dragoons would be helpful since they would encourage a spirit of caution in the Indians, confidence in the settlers, and provide experience for the troops. All these were needed, perhaps the last was the greatest weakness in the military, for it was almost totally without topographical information essential in border warfare.<sup>16</sup>

It appears that General Gaines correctly interpreted the will of the government, for before his report reached Washington, he was authorized to extend activities into the disputed territory. In a letter dated April 25, in reply to his of March 29, the Secretary of War notified him that the Mexican government had been told the army should take such position as would enable it to preserve the territory of the United States and Mexico from Indian outrages as well as protect the territory of the United States from violation by Mexicans, Texans, or Indians. Under no circumstances, however, was a station to be taken beyond "Old Fort Nacogdoches which is within the United States as claimed by Washington." In case troops did go beyond the boundary, they would be withdrawn when the line was located. Cass wrote "but you will please observe, that this permission will not be exercised unless you find such an advanced position necessary to afford due security to the frontier in consequence of the unsettled state of things beyond you."<sup>17</sup>

Directions from Washington were broad and the General indicated no desire to operate within narrow limits. On May 4 Secretary Cass wrote him that his call for volunteers had been approved, and since the theater of operations was so far from the seat of government, much would be left to his discretion. He was told, however, to keep in mind the two objectives of his mission: first, the protection of the frontier; and second, a strict performance of the neutral duties of the United States. He was cautioned to be careful to do nothing which would give just cause of offense to any other government and at the same time not permit the



frontier to "be invaded by any force whatever." He was to warn all concerned that he would use his best effort to keep any troops from "marching toward our frontier" and if such attempt were made, he would "repel and disperse it."<sup>18</sup>

Gaines had determined to make sure his intentions and movements were neither misunderstood nor misinterpreted below the border. On April 25, he addressed letters to the commanders-in-chief of the Mexican and Texan armies. He wrote that he was on the frontier to restrain the Indians residing within the United States from crossing the unmarked boundary and from committing depredations upon either side of the line, also to maintain the neutrality of the United States. E. A. Hitchcock, acting Inspector General, was selected to deliver the message and he was authorized to "freely communicate the powers, views and purposes of the commanding General." He was specifically instructed to warn the commanders against "any movement *in arms* across the Sabine bay, or any of the principal water courses emptying into that bay, or across the country lying north thereof, and between the said waters and the Red River near Fort Towson; or across any other part of the said unmarked or supposedly marked boundary line between the United States and Mexico." He was further authorized to inform the commanders that employment of "Indians belonging to, or usually residing in the nations or tribes residing on the United States side of the above mentioned boundary line," would bring the entire American force against them and such summary punishment inflicted "upon the Indians as well as those who may be found acting with and aiding them as shall afford to the said frontier inhabitants that protection and security from the cruelties of savage war, which the laws of war and civilized nations warrant." General Gaines was to be represented as believing these measures were expressly provided for in the 33rd article of the treaty between the United States and Mexico.<sup>19</sup>

By April 28 Gaines had received reliable reports of the battle of San Jacinto and of rumors that the Indians were disposed to return to their villages and plant corn. This changed the situation and he withdrew the call for volunteers.<sup>20</sup> The capture of Santa Anna, the treaty of Velasco, and the retreat of Mexican troops from Texas seemed to settle the issue. General Gaines was well pleased with his handling of the situation and believed he had prevented widespread Indian hostilities along the border.<sup>21</sup>

Soon, however, it became known that authorities in Mexico City refused to sanction the abandonment of Texas. General José Urrea replaced General Vicente Filisola in command of the army with orders to halt the retreat, regroup the scattered forces and return to the fray. When this information spread through Texas, Indian activities were again viewed with apprehension.<sup>22</sup>

When the Mexican troops assembled at Matamoros and displayed indications of renewing the war, the situation on the Sabine again changed. General Gaines was convinced tribesmen had earlier committed depredations upon the frontier and that some of the marauders were from the United States. When renewed appeals from Texans began to pour into Camp Sabine, he was convinced Mexicans were once more encouraging

the tribesmen to take the war path. Information regarding the destruction of Ft. Parker on May 18 was received before the end of the month. On June 16, Sterling C. Robertson addressed Gaines an anguished appeal<sup>23</sup> and on June 18 General Rusk, then at Victoria in command of the Texas army, forwarded an urgent request for help.<sup>24</sup>

General Gaines believed Texans wished to be annexed to the United States and that President Jackson wanted to see this occur before he left office. Personally he thought annexation a wise policy, good for all concerned including "the whole people of the continent of America," and he feared "embarrassing interference by foreign powers might result from delaying our national action upon the subject to another session of Congress." Therefore, on June 28 he renewed the call for volunteers and sent Acting Inspector General E. A. Hitchcock to Washington to report the facts and circumstances as they appeared on the frontier, including the readiness of the army to proceed with any assignment it might be given.<sup>25</sup>

He was convinced the time for annexation had arrived and planned for quick and decisive military action. He replied to Robertson's request for help that it was not clear the Caddoes had taken part in the recent outrages but the evidence was sufficient to justify an investigation as soon as the dragoons that he had ordered from Ft. Jesup arrived at Camp Sabine. He also requested all available helpful facts such as place designations with intervening distances, the names of individuals along the roads who might supply information of topography as well as enemy numbers and locations.<sup>26</sup>

On July 10, 1836, General Gaines addressed an order with an enclosure to the "officers commanding the United States troops at or near Texas." This went to Ft. Towson. It said that information had been received that among the Indians who had recently raided Robertson's colony were some members of tribes residing within the states of Arkansas and Louisiana. Therefore, he deemed it proper, in order to learn to what extent these Indians had participated in the attack and at the same time to restrain future incursions into Texas to direct the officer's attention to the matter. For these purposes the Commandant at Ft. Towson was ordered to repair with the forces under his command to the "town of Nacogdoches where he would from time to time be occasionally stationed."<sup>27</sup>

The message was forwarded to Lieutenant-Colonel Wm. Whistler then at Camp Benson near Ft. Towson in command of the troops who had been ordered from Ft. Gibson to duty between Ft. Towson and Ft. Jesup. Whistler with three companies of dragoons and six companies of infantry had left Ft. Gibson on May 8, and after a rough and tedious march of nine days, a distance of 190 miles, encamped near Red River on the 17 where they had remained awaiting further orders. They supposed their destination would be the Sabine but were now directed to Nacogdoches where 17,400 rations had been sent. This consisted of 17,000 rations of flour with a "like quantity of the small parts of the rations together with 8,500 rations of pork, with authority for a supply of beef, sufficient to complete the whole supply of 17,400 rations."<sup>28</sup>

At Nacogdoches a position was to be taken that would "combine the several advantages of *strength, health and comfort.*" The camp was to be fortified by a small breastwork constructed of light materials with block houses at the opposite angles. The primary object of the occupation was to enable General Gaines to carry into effect instructions from the War Department dated May 12. If Colonel Whistler should find Indians from the United States to be hostile, they were to be urged to return to their villages and remain peaceful. But should these or "any other Indians, or other armed forces, be found with a warlike attitude, or in the act of any decided hostility against the United States troops, or against any of the inhabitants of the frontier, or of the disputed territory to the south, or east, or north of Nacogdoches, to employ force or otherwise restrain them from such hostility" and to notify the commanding officer "of their *position, probable number and conduct.*" Whistler was promised full cooperation and support of the troops at Ft. Towson and Camp Sabine but was cautioned to attack only if hostility was demonstrated by conduct rather than by threats and always to be careful to conform to the enclosure from the War Department.<sup>29</sup>

On July 11 Gaines' Order No. 29 stated there were indications that Indians in the area were making preparations for hostilities during the summer and autumn. Upon this hypothesis all military movements along the border were based and such activities were to be restrained by force if necessary. To guard against surprise it was ordered that on any service requiring a detachment be sent on duty expected to last two days or more, no less than 200 infantrymen nor 150 mounted troops were to be employed.<sup>30</sup> This precaution was dictated by experience gained fighting the Seminoles.

On July 31 the troops arrived at Nacogdoches. Portions of a letter published in the *National Intelligencer*, September 15, 1836, describes the march from Ft. Towson. The trip took two weeks. Part of the country had never been traveled before except by men on horseback and as the troops were encumbered with ox teams, it was necessary to cut a road as they advanced. The distance covered was about 200 miles. Camp was made on a low hill upon "which Nacogdoches partly stands." The "firing of a small piece of artillery on" their approach told of a favorable reception. The residents were "extremely polite and obliging but many of them have left the town in consequence of the hostile attitude of the neighboring Indians, who are said to be so numerous, that some do not consider the town safe notwithstanding the presence of United States troops." The situation was greatly improved by the arrival of General Houston with his staff on the evening of August 3. The General was suffering from the wound received at San Jacinto and was still on crutches but his presence cheered and encouraged the townspeople.<sup>31</sup>

Residents of Nacogdoches were pleased to have the troops stationed in their midst. They recognized communications were poor, transportation difficult, and that a shortage of provisions would create problems. Freight from Natchitoches was contracted for, when teams and wagons were available, at \$3.50 per hundred pounds but there were few teams and wagons as well as a scarcity of drivers. Two barrels of flour per day were required for the troops and it was difficult to secure a continuous supply.



Other provisions were likewise scarce and expensive. Local citizens wished the soldiers to remain and Colonel Henry Raguet informed the supply officer that he would furnish some provisions at reduced prices. Beans and black-eyed peas he would provide for \$1.50 per bushel, the contract price was \$2.00 plus transportation; candles, one fourth wax, at 20 cents per pound, and salt at \$2.50 per bushel of fifty pounds.<sup>32</sup>

General Gaines continued to strengthen his forces along the border while awaiting what he confidently believed would be favorable action on the question of annexation. He was convinced the hostile attitude of the Indians was a result of their belief that concentration of Mexican troops at Matamoros would lead to the Texans being driven back into the United States or suffering extermination. A display of strength, he thought highly desirable, therefore, he built at Camp Sabine a block house and eight storehouses twenty feet square, laid in a supply of 2,290 bushels of corn, and "155,000 rations of subsistence of excellent quality," and wrote the Secretary of War the best plan of attack was to march directly toward the place where the Indian women and children were located. This would bring the warriors from their hiding and assure a fight.<sup>33</sup> While these plans were being readied, General Gaines was ordered, early in October, to attend a military court of inquiry at Frederick, Maryland.<sup>34</sup>

The Mexican threat had not materialized, the Indians had not taken the warpath, Washington had become cautious and no other military commander recognized a need for action. General Arbuckle at Ft. Towson, left in command, saw no evidence of a threat of widespread Indian hostilities.<sup>35</sup>

There appeared to be no further political or military advantage to be gained by continued occupation of Nacogdoches. The camp was plagued with indifference and low morale. On August 9, the three ranking officers, Colonel Whistler, Captain Tenor and Captain Perkins were ill. The blockhouses ordered constructed had not been built. The dragoons were "encamped on a hill overlooking and commanding the town from the west," while the infantry was stationed "within the precinct of the town."<sup>36</sup> Early in September, Colonel Whistler reported there had never been any disposition on the part of the Indians to attack the U. S. troops and if there had ever been any intention to attack the Texans, it disappeared with the arrival of the American soldiers.<sup>37</sup> On October 13 he complained that his troops had suffered a 400 mile march to afford protection to a foreign state.<sup>38</sup> On November 30 General Macomb reported as far as he could determine there were 428 United States regulars at Nacogdoches.<sup>39</sup> The detachment was withdrawn on December 18, 1836.<sup>40</sup> The climate of public opinion at Washington had changed and along the boundary the Indian menace had become a domestic problem.

#### DIPLOMATIC BREAK WITH MEXICO

The concentration of troops on the border, the occupation of Nacogdoches, and the suspected intentions of the administration and of General Gaines raised questions that were reflected in the foreign policy and politics of the American people. The well known sympathies of President

Jackson and citizens throughout the United States for Texans and their cause resulted in widespread disregard of the Neutrality Act of 1818. In the latter part of 1835 and early 1836 violations of the spirit if not the letter of the law were frequent, general and flagrant but repeated warnings from the State Department and investigations by federal district attorneys failed to halt aid going to Texas.<sup>41</sup>

Mexican authorities were not satisfied that Washington was doing all it could to maintain a neutral position. The situation was more difficult because Mexico resented repeated efforts by the United States to buy the province and indignantly rejected the claim that the Neches, not the Sabine, was the boundary. President Jackson did nothing to allay suspicion when in his message to Congress December 7, 1835, he reported having notified Mexico that in the event of trouble, the boundary must be respected alike by both the loyal and rebel regimes. Costillo, the Mexican envoy to Washington, inquired at the State Department if this meant the President referred to boundaries other than those described in treaties between the two governments.<sup>42</sup> Secretary Forsyth refused to discuss the statement of the President, made to another branch of the government, with the representatives of a foreign power.

Early in March, 1836, Manuel Edwards Gorostiza appeared in the United States as Envoy Extraordinary and Minister Plenipotentiary of the Mexican government.<sup>43</sup> He was an able and experienced diplomat and on April 4 complained to Forsyth about men being recruited and money subscribed in some of the states for aid to Texas.<sup>44</sup> The Secretary directed federal attorneys to see that the law was enforced but the looseness of the legislative language and the disposition of the public prevented successful prosecution of seemingly obvious violations.

The boundary between the two nations had never been located and that portion forming the western limits of Arkansas and Louisiana was in dispute. Gorostiza learned that General Gaines had been ordered to take personal command and to concentrate troops along the border. On April 20 in a conference with Secretary of State Forsyth, he requested an explanation.<sup>45</sup>

The Secretary entered into a long discourse on the subject. Gorostiza said he was afraid he had not kept everything that was said in mind and might have missed some of the points as they were presented in a foreign language, therefore, requested a summary in writing. Forsyth agreed and sent the envoy a memorandum. In this he declared that United States citizens near Red River feared attacks by Indians from Mexican territory and hostilities by Indians living in the United States against people living in Mexico. This had induced the government to send troops to the border but Mexico need have no fear, for if in the performance of his duties, the commander crossed the line or occupied a position beyond what Mexico supposed was the boundary, he would withdraw as soon as the danger was passed. Washington had no intention of hostile action or desire to establish a possession or claim.<sup>46</sup>

Gorostiza replied that sending troops to the border could be regarded by his country only as intervention in its domestic affairs. To his own

government he wrote the measure could be viewed in no other light than aid to the Texas rebels and that he would never consent for the Americans to occupy one foot of Mexican soil. Should he learn the boundary had been crossed, before receiving instructions on the subject, he would lodge a formal protest and ask for his passport.<sup>47</sup>

Forsyth supposed Gorostiza had failed to grasp his meaning and tried to explain. He said troops might be advanced to a position supposed by Mexico to be within its territory. This was meant to be reassuring for he had stated if it occurred, the soldiers would be withdrawn when peace was restored, as the United States had no wish or intention to interfere in the domestic affairs of its neighbor.<sup>48</sup> Gorostiza replied that he noted with approval the assurances that United States troops would not take a position on ground known to be beyond United States limits. Then he inquired if this were true, would it not follow logically that no position would be occupied on ground previously possessed by Mexico.<sup>49</sup>

His failure to be convincing and the adroitness of the Mexican, nettled Forsyth. He tried again, repeating what he had said in slightly different words with additional emphasis.<sup>50</sup> Gorostiza insisted that his arguments had not been met nor his question answered. Therefore, nothing remained but for him to notify his government in order that the Mexican commander might be given necessary instructions to deal with the situation if General Gaines advanced beyond the known boundary line.<sup>51</sup>

On May 9, Gorostiza returned to the subject. He inquired about a report in the *Globe* that Secretary of War Cass on April 25 had authorized General Gaines to advance to Nacogdoches, said to be within the limits of the United States.<sup>52</sup> Forsyth was irritated and replied at length emphasizing that Gaines was not ordered to go to Nacogdoches, but rather not to go beyond that point. He said this was an important distinction and the language had been chosen carefully with the deliberate intention of avoiding misconstruction of the motive, which was to protect the frontier against the Indians. In fulfillment of the treaty terms, however, he declared troops might be sent to the very heart of Mexico. Believing the protest was founded upon the minister's wilful contentiousness or mistaken conviction that the advance was to be used as a basis for a claim to territory, he proceeded to remind Gorostiza that Mexico was not in possess of the area near the boundary no matter where the line might be when finally established, and claims of both countries were based upon terms of a treaty which provided that the line would be located later by a joint commission.<sup>53</sup> Gorostiza refused to admit the troops of a friendly power were authorized to enter, of their own accord, territory of a neighbor no matter how benevolent their objective. Such practice, he declared, would destroy the principle of the independence of nations.<sup>54</sup>

The discussion appeared to be nearing a crisis when the news of San Jacinto brought a change. Gorostiza realized his position had been weakened but he did not abandon it. On May 24 he protested against a resolution introduced in Congress to recognize the independence of Texas<sup>55</sup> Forsyth refused to discuss the subject and Gorostiza was quiet for a while but on July 9 he was informed that his government was determined to

prosecute the war in Texas and considered any agreement or promise made by Santa Anna as null and void. Soon he heard that Gaines had again received permission to occupy Nacogdoches. He inquired at the State Department regarding the truth of the report. Forsyth replied that he did not know but would ask the War Department, and later he told Gorostiza the rumor was false.<sup>56</sup>

On July 28 Gorostiza wrote Acting Secretary of State Dickins that he had heard General Gaines had announced his intention to occupy Nacogdoches. He observed that it was a "very singular coincidence that only when the Mexican troops were advancing in Texas, those accounts of the excesses of Indians are invented or exaggerated, in order that they may, without doubt, reach the ears of General Gaines." He also complained of a series of unneutral acts on the part of United States citizens and asked that this communication be laid before the President as the continuation of his mission depended upon the answer.<sup>57</sup> A reply on August 1 defended the Secretary of War in ordering General Gaines to go as far as Nacogdoches and reiterated the declaration that the United States sought only to preserve peace and order along the border.<sup>58</sup>

On August 2, Gorostiza inquired if the government had confirmation of reports that General Gaines had occupied Nacogdoches.<sup>59</sup> He was told the last dispatches received at the War Department indicated the General was at Camp Sabine. Two days later, August 4, he presented a strong protest against the order authorizing the occupation of Nacogdoches; on the same theory he said, a Mexican general might occupy Natchitoches to protect against Indians that might be reported planning to enter Mexico.<sup>60</sup>

He knew Gaines was authorized to occupy Nacogdoches but was unable to learn whether troops had been sent to that position. He did learn that authorization had been dispatched the day before Forsyth had told him he was not informed on the subject. He wrote his government, "I think that no commentaries are needed, to show the true character and value of such conduct."<sup>61</sup> Any confidence he might have had in the honesty and integrity of the American administration was completely destroyed.

With no expectation of influencing the action of the United States government Gorostiza continued to call attention to alleged unneutral acts. On September 10 he wrote that he was convinced Nacogdoches had been occupied and called for replies to his protests.<sup>62</sup> In a personal interview September 23, Forsyth sought, without success, to allay the indignant minister's apprehensions and two days later showed him parts of letters from President Jackson to General Gaines in which the President directed withdrawal from Nacogdoches if the Indian menace was over. However, if hostilities were threatened or in progress, he was authorized to call 2000 volunteers from Arkansas and Missouri and advance his entire force to Nacogdoches or any other position more favorable for the protection of the frontier. The letters specifically informed Gaines that he was to act upon his own discretion based upon the information available to him, bearing in mind the neutral position of his country.<sup>63</sup>



Gorostiza knew he was achieving nothing and had lost hope of any success but on October 1, he protested against United States military aid to Texas and demanded a reply to his request for withdrawal of troops from Nacogdoches.<sup>64</sup> On October 13, Acting Secretary of State Dickins refused to promise withdrawal.<sup>65</sup> Gorostiza realized the resources of diplomacy were exhausted and on October 15 asked for his passport.<sup>66</sup>

### JACKSON'S CHANGE OF EMPHASIS

President Jackson approved military action along the Arkansas-Louisiana boundary when the revolt in Texas first came to his attention. This he indicated in his annual message to Congress December 7, 1835, then emphasized more strongly in March, 1836, when a letter from General T. J. Green to Colonel J. B. Manny in command at Ft. Jesup reached him by way of the Adjutant General's office. This was an appeal for protection against Indians alleged to be crossing from the United States to Texas. Jackson wrote on the letter a message to the Secretary of War directing him to give instructions immediately to the commanding officer at Ft. Jesup to "arrest all individuals who under the order of General Santa Anna, are engaged in exciting Indians to war, and to notify all concerned that all his military forces will be employed to put down or support our neutrality."<sup>67</sup>

The administration decided to mobilize enough troops to enforce its will along the border. General Gaines was placed in command and forwarded instructions by Secretary of War Cass dated April 25, 1836 authorizing him to occupy Nacogdoches if in his opinion it seem advisable.<sup>68</sup> On April 8, before Cass' letter was written, Gaines called on the governors for volunteers,<sup>69</sup> and by order of the President, the call was approved before Congress enacted the necessary legislation.<sup>70</sup> Details of this action soon became known and from numerous quarters questions and criticism appeared.

*Niles Register*, May 7, stated that General Gaines appeared to feel called upon to prevent Indians from taking part in the war then raging in Texas. He was quoted as saying orders from the President required him "to remain entirely neutral and to cause that neutrality to be respected." The editor observed that the General could interpret his orders to authorize military action as far west as the Sabine and if he did so, war with Mexico might be precipitated. The conclusion of such a conflict could not be foreseen and "we trust that however strong sympathies in favor of our countrymen who are emigrants in Texas may be, nothing will be done by an American officer to tarnish the high character of the United States for national propriety and good faith." This was the first mention in the *Register* of the situation, and it did not go unnoticed at Washington.<sup>71</sup>

The next issue was more severe in its criticism and attacked the President directly. It declared the Texas question had assumed an entirely new aspect so far as the United States was concerned. The Executive had undertaken to claim territory over which the Mexican government had theretofore exercised jurisdiction, including "Old Fort Nacogdoches" and

had ordered General Gaines to cross the Sabine and occupy that post. In the opinion of this paper, under no construction of the treaties could United States boundaries be considered to include Nacogdoches. The editor felt "so clear indeed is this question that no person, even moderately acquainted with the geography of the country on both sides of the Sabine would any more regard the Neches as the main stream of the Sabine than they would the Shenandoah as the main stream of the Potomac or the Juniata as that of the Susquehannah." The hope was expressed that Mexico would not resort to war but under no construction of treaties could the United States boundaries be considered to include Nacogdoches. In the opinion of the editor, he would be wanting in his duty to his readers "if he did not warn them of the imminent danger of the nation being involved in a war which could not be otherwise than disastrous to the western frontier no matter how fortunate we may be in its prosecution or victorious in termination." So long as there were no "latent ulterior purposes" there was no objection on the part of the *Register* to any measure to protect the frontier but this had the appearance of a mask for conquest.<sup>72</sup>

Criticism spread and on May 10, the *National Intelligencer* published a letter written by General Macomb dated April 25, in which he questioned General Gaines' judgment in calling upon the governors for volunteers. The letter was assumed to give the true picture, and editorially the paper attacked the administration's policy.<sup>73</sup> Criticism in Congress was also increased and its overall strength was not easy to determine.<sup>74</sup> The administration was impressed. If Macomb's letter presented the real situation, the President feared a mounting crusade of opposition and it was decided this might be prevented by a restatement of policy designed to end criticism in the press, discussion in Congress, and to rally the public to the administration's support. Information on the situation in the President's possession had been called for by Congress. A reply was withheld and on May 12, Secretary Cass wrote General Gaines that the President wished him to act with great caution and in no way compromise the nation's neutrality. If Indians were not then employed along the border, there was no need to pass beyond territory heretofore occupied by the United States. In any event he was not to advance unless circumstances showed the step necessary for the protection of United States territory and then to return across the line as soon as the situation would permit.<sup>75</sup> There could be little if any criticism of such policy and on May 14 the correspondence, including this letter, was sent to Congress. The procedure was effective, criticism abated.

Policy was not changed but an element of caution had been introduced. On July 11, however, Secretary Cass replied to Gaines' letter of the previous June 7, saying that if the General considered it necessary he might advance as far as Nacogdoches without hesitation since the President approved.<sup>76</sup> This was directly contrary to the impression conveyed by the letter of May 12. Jackson had seen danger signals and when Gaines renewed his call for volunteers, the Chief Executive took measures to forestall a revival of criticism.<sup>77</sup>

Delays incidental to the adjournment of Congress and the President's trip to Tennessee afforded the needed time for deliberate action. Jackson decided

to halt recruiting of volunteers in the states where there was the greatest enthusiasm for the Texas cause and most persistent demands for annexation. This would tend to reduce consideration of the subject where there was most pressure for action. On August 5 from the Hermitage, Jackson wrote Governor Cannon of Tennessee that he believed the sanction of so large a mobilization as called for by General Gaines would furnish Mexico reasons for supposing the United States might be persuaded by inadequate cause to overstep the line of strict neutrality. He criticized Cannon for assuming that authorization for a requisition in May applied equally to another in June and declared Gaines had based the latest call upon obligations inconsistent with the administration's policy.<sup>78</sup>

Writing apparently for public view, Jackson told Cannon "should Mexico insult our flag, invade our territory or interfere with our citizens in their lawful pursuit then the Government would promptly repel the insult and take speedy reparation for the injury." No such offense, he said, had been committed or believed by General Gaines to have been committed. Before he left Washington, he asserted, the Secretary of War had been directed to inform General Gaines of a new plan that had been made under the Volunteer Act approved by the last session of Congress. This gave Gaines the authority, in case of need, to call up 1000 men from each of the states of Arkansas and Missouri, at the same time withdrawing authority for requisitions upon the other governors. He believed there were no reasons to justify fear of extensive Indian hostilities but should more troops be needed, they could be called from Ohio, Indiana, Illinois and Kentucky.<sup>79</sup>

Critics were again silenced. On August 20 an editorial in *Niles Register* stated that the letter was "dignified and appropriate and must disabuse the public mind as to the alleged sentiments and conduct of that functionary in the contest of the Texians with Mexico." It had appeared from reports by General Gaines that he was acting with the sanction and upon the advice of the President, this was now proved not be the case.<sup>80</sup> The *National Intelligencer* was quoted as saying "we consider the document to be of an importance scarcely inferior to that of the proclamation of neutrality of 1793."<sup>81</sup>

Jackson's ultimate goal had not changed. He wanted Texas; he also wanted Van Buren to succeed him at the White House; and he was waiting for a report from Henry Morfit, his agent in Texas. His reasons for halting troop concentration on the border were: first, he feared criticism would hurt Van Buren's chances of being elected; second, he did not want to make the annexation of Texas more difficult by giving opponents grounds for opposition; and third, he believed Texas was in no immediate danger of being conquered by a weak, divided, and discouraged Mexico. Unlike General Gaines, he did not think it absolutely necessary to annex Texas during the life of the present Congress.<sup>82</sup>

On September 4 the President wrote General Gaines that his policy was as it had always been, strict neutrality "unless the necessity exists, unless there are actual disturbances of the peace on the frontier, or a moral certainty that the Indians in hostile array for the purpose are drawing the means of operation from the territory of Mexico the occupation of an

advanced post in that territory by our troops must be avoided."<sup>83</sup> Before this message was sent, Jackson received the letter Gaines had written Secretary Cass on July 21 in which he described reports of renewed activities by Indians in Texas. In reply the President authorized the General if the statements were true, to occupy Nacogdoches with his entire command.<sup>84</sup>

Jackson conveyed one impression to the public and an entirely different one to General Gaines. The technique was successful and General Gaines did what he could to promote the cause of annexation and the public lauded the President for his firm stand in protecting American rights and preserving "strict neutrality."

### JEALOUS GENERALS

Military activity along the Texas border added fuel to an ancient controversy among the generals of the army. Generals Gaines and Scott began feuding before the War of 1812 closed, but they both emerged as Brevet Major Generals. This resulted in a continuation of their personal war since each hoped to retain the pay of the brevet rank. In 1821 the number of Major Generals in the army was reduced to one by act of Congress. Gaines and Scott were applicants for the place, each considered the other to be the principal obstacle in the way of his promotion. Bitterness between them increased until in 1824 Scott challenged Gaines to a duel. Gaines haughtily refused to fight because army regulations forbade and he had consistently opposed "the code duelle." His friends defended him and pointed out that Scott had drawn the anti-dueling provision in army regulations and had refused to fight Jackson because of "patriotic scruples."<sup>85</sup>

In February, 1828, General in Chief of the army, Jacob Brown, died and the Adams administration had to select a successor. An active campaign was launched by both Gaines and Scott. Partisans of each joined in the contest. Charges and counter charges, letters and pamphlets were issued in great numbers. Congressmen brought what pressure they could upon the administration. In general, representatives from the Northwest favored William H. Harrison; those from the upper South urged the claims of Scott; New England backed Macomb; and the lower South supported Gaines. In addition each had partisans scattered across the states.<sup>86</sup>

In the cabinet the appointment was a matter of grave consideration. The President was annoyed with both Gaines and Scott as well as with the tactics of their friends. Secretary of State Clay was bitterly opposed to Gaines because he considered himself to have been insulted in 1825 by Lieutenant Edward G. W. Butler, an aide to Gaines. The General had tendered his apologies but Clay threatened to resign from the cabinet if he received the appointment.<sup>87</sup> On an occasion when the appointment was the subject of discussion, the President asked Richard Rusk, Secretary of the Treasury, his opinion. Rusk objected to both Gaines and Scott and suggested Alexander Macomb, Brevet Brigadier General and Chief Engineer of the Army.<sup>88</sup> This seemed an acceptable way out of the impasse



and Macomb received the appointment which served to broaden the controversy and intensify the bitterness. Gaines, Scott and their friends were indignant. They loosed a barrage of criticism of the appointment and the appointee. Scott announced he would not obey orders from Macomb and on at least two occasions refused to return the salute of his superior.<sup>89</sup>

Gaines publicly supported Jackson's candidacy for the presidency in 1828 and was jubilant at his election. On November 22, after the results were known, he wrote the President-elect congratulations and invited him, if he came by Kingsport, Tennessee, on his way to Washington, to stay at least one night with the Gaines family.<sup>90</sup> This friendship gradually cooled until by 1830 Gaines felt he was no longer in the good graces of the President. He attributed this to his known dislike of Eaton, Jackson's first Secretary of War; his approval of Jackson's earlier decision not to seek a second term; and the influence yielded by the political friends of Scott and Macomb.

On January 23, 1836 General Gaines was transferred to the Arkansas-Louisiana border from the command in Florida and General Scott was ordered to assume direction of the campaign against the Seminoles. This war was being waged in an area where the President had won military fame and was supposed to have an especial knowledge and interest in the activities. General Gaines had achieved some success in organizing the campaign and in the fighting he felt that he was destined to achieve total victory, so Scott's appointment was resented and attributed to political manipulations at Washington.<sup>91</sup> In the new command the situation was different, conditions would have to be appraised, plans made, troops and equipment procured and if success were achieved, it might be attributed to factors other than military leadership. Gaines felt his rival was being favored.

Each general, with the support of his friends, continued to seek opportunities to promote his professional career. General Macomb learned that Gaines had called upon several governors including White of Louisiana for volunteers. No official action was taken at Baton Rouge and on April 25 Macomb wrote Secretary of War that the governor thought he was not authorized by law to honor the requisition. He was reporting the affair, he said, because it was understood troops were to be used to check the Caddoes and this seemed unnecessary since the country was not invaded and not likely to be. He suggested that General Gaines had been deceived by a group of land speculators who had led him to believe Mexican authorities were tampering with the Indians in the hope of stimulating people in the United States to pressure authorities to lend aid to Texas. He declared that General Gaines had enough soldiers of the regular army to carry out his instructions.<sup>92</sup>

Macomb's criticisms had little basis in fact and should have carried no weight in administrative circles. He was known to be jealous of Gaines, had not been near the frontier, knew of the situation only by rumor and what he had read in the public press. In addition, he misrepresented the position of Governor White who had explained that he hesitated to call out the militia because of lack of funds and, since the legislature was not

in session, before the men could be mobilized the time for service specified in the call would have expired. But the subject of the principal persons involved were controversial and Macomb's letter found its way into the newspapers and provoked discussion over the country and in Congress. *Niles Register* charged that General Gaines was irresponsible and was about to start a war that would blight the high character of his country.<sup>93</sup>

Friends of the generals were again arrayed in defense of their respective champions. Many of the men in public life in 1828 were still influential and few appear to have changed their opinions regarding the merits or demerits of the military leaders. The discussion in Congress resulted in a call upon the President for all the documents relating to the frontier and General Gaines.<sup>94</sup> The administration determined to permit no disturbing political issues to arise, and moved cautiously. The Secretary of War wrote Gaines to restrict his activities, if feasible, to United States soil. Gaines protested that Macomb's letter had produced a change in the thinking on the Potomac, he had only 1600 men to defend 400 miles of frontier and had Gen. Macomb been acquainted with the situation he would never have committed so many errors.<sup>95</sup>

Bickering continued and when news reached Washington that troops had occupied Nacogdoches, charges and countercharges were renewed. Amos Kendall, one of the President's trusted advisers, urged that Gaines be recalled.<sup>96</sup> This advice was not followed but Jackson did scold Gaines, not for what he did, but for permitting a distorted image of administrative policy to emerge as a threat to the uneasy calm of national politics.

The four and a half months occupation left little imprint upon Nacogdoches and East Texas. It did, however, make Nacogdoches, the Sabine River, and East Texas well known to people in the United States. It also brought about a break in diplomatic relations between Washington and Mexico, produced criticism which stimulated President Jackson to action that in men of lesser stature might have been regarded as duplicity, and served as a vehicle for the return, as a political issue, of the ancient rivalry between generals of the army.

## FOOTNOTES

<sup>1</sup>William M. Malloy, compiler, *Treaties, Conventions, International Acts, Protocols and Agreements between the United States of America and other Powers* (2 Vols., Washington, D. C., 1910), I, 1095.

<sup>2</sup>Carson to Burnet, April 14, 1836, Annual Report of the American Historical Association 1907 (2 Vols., Washington, D. C. 1908), II, 83.

<sup>3</sup>James D. Richardson, compiler, *A Compilation of the Messages and Papers of the Presidents, 1789-1902* (8 Vols., Washington, D. C. 1904), III, 151.

<sup>4</sup>Jones to Gaines, January 22, 1836, *House Ex. Docs.*, 78, 25 Cong., 2 sess. 740.

<sup>5</sup>Cass to Gaines, January 23, 1836, *House Ex. Docs.*, 256, 24 Cong. 1 sess. 40

<sup>6</sup>Gaines to Cass, March 29, 1836, *House Ex. Docs.*, 351, 25 Cong. 2 sess. 768.

<sup>7</sup>Gaines to Cass, April 8, 1836, *Congressional Debates*, XIII, pt. 3, p. 3515.

<sup>8</sup>*Ibid.*

<sup>9</sup>*Ibid.*

<sup>10</sup>Gaines to the governors, April 8, 1836, *ibid.*, 3516.

<sup>11</sup>Carson to Burnet, April 14, 1836, *Annual Report of the American Historical Association, 1907*, II, 83.

<sup>12</sup>*Ibid.*

<sup>13</sup>Gaines to Cass, April 20, 1836, *House Ex. Docs.*, 351, 25 Cong 2 sess., 771.

<sup>14</sup>*Ibid.*

<sup>15</sup>*Ibid.*

<sup>16</sup>*Ibid.*

<sup>17</sup>Cass to Gaines, April 25, 1836, *ibid.*

<sup>18</sup>Cass to Gaines, May 4, 1836, *House Ex. Docs.*, 256, 24 Cong., 1 sess., 48.

<sup>19</sup>Gaines to Santa Anna and Houston, April 25, 1836, *House Ex. Docs.*, 351, 25 Cong., 2 sess., 782.

<sup>20</sup>Gaines to Cass, April 28, 1836, *ibid.*, 783.

<sup>21</sup>Gaines to Cass, May 2, 1836, *ibid.*, 784.

<sup>22</sup>Gaines to Cass, June 7, 1836, *ibid.*, 787.

<sup>23</sup>Marshall, Thomas M., *A History of the Western Boundary of the Louisiana Purchase, 1819-1841* (Berkeley, 1914), 174.

<sup>24</sup>Gaines to Bradford, June 28, 1836, quotes Rusk's letter, *Niles Register*, L, 384.

<sup>25</sup>Gaines to Cass, June 28, 1836, *House Ex. Docs.*, 351, 25 Cong., 2 sess., 786.

<sup>26</sup>Gaines to Robertson, June 22, 1836, *ibid.*, 792.

<sup>27</sup>*House Ex. Docs.*, 190, 25 Cong., 2 sess., 98.

<sup>28</sup>*Ibid.*

<sup>29</sup>*Ibid.*

<sup>30</sup>*Ibid.*, 99.

<sup>31</sup>*Niles Register*, LI, 21, gives story from *National Intelligencer*.

<sup>32</sup>Gaines to Cass, August 11, 1836, *House Ex. Docs.*, 351, 25 Cong., 2 sess., 798.

- <sup>33</sup>Gaines to Cass, July 21, 1836, *ibid.*, 795.
- <sup>34</sup>*House Ex. Docs.*, 78, 25 Cong., 2 sess., 123.
- <sup>35</sup>Marshall, 185.
- <sup>36</sup>Gaines to Cass, August 11, 1836, *House Ex. Docs.*, 351, 25 Cong., 2 sess., 799.
- <sup>37</sup>Silver, J. W., *Edmund Pendleton Gaines* (U. of La. Press, 1949), 212.
- <sup>38</sup>*Ibid.*
- <sup>39</sup>*Niles Register*, LI, 162.
- <sup>40</sup>E. C. Barker, "The United States and Mexico, 1835-1837," *Mississippi Valley Historical Review*, I, 3-30.
- <sup>41</sup>Marshall, 186.
- <sup>42</sup>Richardson, *Messages and Papers of the Presidents*, III, 151.
- <sup>43</sup>*House Ex. Docs.*, 351, 25 Cong., 2 sess., 725.
- <sup>44</sup>Gorostiza to Forsyth, April 4, 1836, *House Ex. Docs.*, 256, 24 Cong., 1 sess., 13.
- <sup>45</sup>*House Ex. Docs.*, 256, 24 Cong., 1 sess., 45.
- <sup>46</sup>*Ibid.*
- <sup>47</sup>Gorostiza to Department of Relations, April 25, 1836, *House Ex. Docs.*, 190, 25 Cong., 2 sess., 74.
- <sup>48</sup>Forsyth to Gorostiza, April 26, 1836, *House Ex. Docs.*, 256, 24 Cong., 1 sess., 32.
- <sup>49</sup>Gorostiza to Forsyth, April 28, 1836, *ibid.*, 22.
- <sup>50</sup>Forsyth to Gorostiza, May 3, 1836, *ibid.*, 33.
- <sup>51</sup>Gorostiza to Forsyth, May 4, 1836, *ibid.*, 24.
- <sup>52</sup>Gorostiza to Forsyth, May 9, 1836, *ibid.*, 26.
- <sup>53</sup>Forsyth to Gorostiza, May 10, 1836, *ibid.*, 33.
- <sup>54</sup>Gorostiza to Forsyth, May 14, 1836, *ibid.*, 28.
- <sup>55</sup>Gorostiza to Forsyth, May 24, 1836, *ibid.*, 32.
- <sup>56</sup>Gorostiza to Minister of Relations, July 12, 1836, *House Ex. Docs.*, 190, 25 Cong., 2 sess., 89.
- <sup>57</sup>Gorostiza to Dickins, July 28, 1836, *House Ex. Docs.*, 2, 24 Cong., 2 sess., 43.
- <sup>58</sup>Dickins to Gorostiza, August 1, 1836, *ibid.*, 44.
- <sup>59</sup>Gorostiza to Dickins, August 2, 1836, *ibid.*, 46.
- <sup>60</sup>Gorostiza to Dickins, August 4, 1836, *ibid.*, 48.



- <sup>61</sup>Gorostiza to Minister of Relations, August 18, 1836, *House Ex. Docs.*, 190, 25 Cong., 2 sess., 96.
- <sup>62</sup>Gorostiza to Forsyth, September 10, 1836, *House Ex. Docs.*, 2, 24 Cong., 2 sess., 66.
- <sup>63</sup>*Ibid.*, 81.
- <sup>64</sup>Gorostiza to Dickins, October 1, 1836, *ibid.*, 88.
- <sup>65</sup>Dickens to Gorostiza, October 13, 1836, *ibid.*, 89.
- <sup>66</sup>Gorostiza to Dickins, October 15, 1836, *ibid.*, 96.
- <sup>67</sup>*House Ex. Docs.*, 256, 24 Cong., 1 sess., 58.
- <sup>68</sup>Cass to Gaines, April 25, 1836, *ibid.*, 43.
- <sup>69</sup>Gaines to governors, April 8, 1836, *Congressional Debates*, XII, pt. 3, p. 3516.
- <sup>70</sup>Marshall, 160.
- <sup>71</sup>*Niles Register*, L, 162.
- <sup>72</sup>*Ibid.*, 185.
- <sup>73</sup>Quoted in *Niles Register*, L, 177.
- <sup>74</sup>*House Ex. Docs.*, 256, 24 Cong., 1 sess., 40.
- <sup>75</sup>Cass to Gaines, May 12, 1836, *ibid.*, 54.
- <sup>76</sup>Cass to Gaines, July 11, 1836, *House Ex. Docs.*, 190, 25 Cong., 2 sess., 97.
- <sup>77</sup>Jackson to Cannon, August 5, 1836, *ibid.*, 101.
- <sup>78</sup>*Ibid.*
- <sup>79</sup>*Ibid.*
- <sup>80</sup>*Niles Register*, L, 409.
- <sup>81</sup>*Ibid.*
- <sup>82</sup>*Sen. Docs.*, 20, 24 Cong., 2 sess.
- <sup>83</sup>Jackson to Gaines, September 4, 1836, *House Ex. Docs.*, 2, 24 Cong., 2 sess., 81.
- <sup>84</sup>*Ibid.*
- <sup>85</sup>Silver, 130.
- <sup>86</sup>*Ibid.*, 134.
- <sup>87</sup>Charles Francis Adams, ed., *Memoirs of John Quincy Adams* (12 Vols., Philadelphia, 1874-1877), VII, 505.
- <sup>88</sup>*Ibid.*
- <sup>89</sup>Nevins, Allan, ed., *The Diary of John Quincy Adams, 1794-1845* (New York, 1928), 376.

<sup>90</sup>Gaines to Jackson, November 22, 1828, *Jackson Papers, Library of Congress*.

<sup>91</sup>Gaines to Jones, July 4, 1836, *House Ex. Docs.*, 78, 25 Cong., 2 sess. 753.

<sup>92</sup>Macomb to Cass, April 25, 1836, *House Ex. Docs.*, 256, 24 Cong., 1 sess., 55.

<sup>93</sup>*Niles Register*, L, 177.

<sup>94</sup>Cass to Jackson, May 14, 1836, *House Ex. Docs.*, 256, 24 Cong., 1 sess., 40.

<sup>95</sup>Gaines to Cass, June 22, 1836, *House Ex. Docs.*, 351, 25 Cong., 2 sess., 790.

<sup>96</sup>Wiltse, Charles M., *John C. Calhoun Nullifier* (New York, 1949), 291.