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of the
State of Texas
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United States*

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RECOGNITION OF THE REPUBLIC OF TEXAS BY THE UNITED STATES.¹

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THE MOVEMENT FOR INDEPENDENCE.

When Texas in the fall of 1835 found herself at war with Mexico, her first step, after putting the country in a state of defense, was to cast about for aid. Two alternatives were presented to her: she might either ally herself with the Mexican Liberals, who were also in rebellion against the centralized government of Santa Anna; or she might declare independence, and trust to the United States for assistance to sustain it. What she did was to experi-

¹A thesis presented to the faculty of the Yale University in part fulfillment of the requirements for the degree of Doctor of Philosophy, May, 1908. This paper does not claim to be a complete study of the relations between the United States and Texas which led to the recognition by the former of the independence of the Republic of Texas in 1837. There should be some material on the subject in the records of the Department of State at Washington, to which I have not had access; while the archives in the City of Mexico would doubtless throw much additional light upon the relations between the United States and Mexico during this period. The most valuable and complete sources, however, have been available (see bibliography, pp. 254-255).

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ment with each course in turn; and the revolution falls thus into two phases—first, an effort to restore the "republican principles" of the constitution which Santa Anna had overthrown; secondly, a struggle for independence. Some emphasis has been laid upon the conscientiousness of the Texan colonists during the first period in adhering to their obligations to Mexico and the reluctance with which they finally threw off allegiance to their adopted country. It is no doubt true that, rather than engage in a war whose issue was at best doubtful, the majority of the colonists would have preferred to continue the old relationship with Mexico under the constitution, if peace might thereby have been restored. But in tracing the relations between Texas and the United States at this time, one is forced to question whether the Texan leaders were as sincere during the first months of the revolution in their loyalty to the constitution of 1824 as they were later on in the acknowledged war for independence; whether more confidence either in their own strength or in help from without might not have led earlier to an unqualified declaration of independence. In the fall of 1835, however, they felt that help from some quarter must be forthcoming—that alone they were incapable of resisting the forces that had already suppressed similar uprisings in other provinces throughout Mexico.

The Consultation at San Felipe, which was called partly for the purpose of determining what course to pursue, decided, November 6, against a declaration of independence by a vote of thirty-three to fifteen. On the next day a report defining the position in which Texas stood was brought in by a committee appointed for the purpose, and unanimously adopted. It stated that:

Whereas, General Antonio Lopez de Santa Anna, and other military chieftains, have, by force of arms, overthrown the federal institutions of Mexico, and dissolved the social compact which existed between Texas and the other members of the Mexican confederacy; now the good people of Texas, availing themselves of their natural rights,

SOLEMNLY DECLARE

1st. That they have taken up arms in defence of their rights and liberties, which were threatened by the encroachments of mil-

itary despots, and in defence of the republican principles of the federal constitution of Mexico, of eighteen and twenty-four.¹

3d. That Texas is no longer morally or civilly bound by the compact of union; yet, stimulated by the generosity and sympathy common to a free people, they offer their support and assistance to such of the members of the Mexican confederacy as will take up arms against military despotism.

3d. That they do not acknowledge that the present authorities of the nominal Mexican republic have the right to govern within the limits of Texas.

4th. That they will not cease to carry on war against the said authorities whilst their troops are within the limits of Texas.

5th. That they hold it to be their right during the disorganization of the federal system, and the reign of despotism, to withdraw from the union, to establish an independent government, or to adopt such measures as they may deem best calculated to protect their rights and liberties, but that they will continue faithful to the Mexican government so long as that nation is governed by the constitution and laws that were formed for the government of the political association.

6th. That Texas is responsible for the expense of her armies now in the field.

7th. That the public faith of Texas is pledged for the payment of any debts contracted by her agents.

8th. That she will reward, by donations in lands, all who volunteer their services in her present struggle, and receive them as citizens.²

Throughout the rest of this year and the beginning of the next, the General Council of the provisional government³ remained at least nominally faithful to this declaration. On the other hand Provisional Governor Smith was from the first an ardent advocate of an immediate declaration of independence; and it is to this

¹The Mexican republic, so-called, which Santa Anna had just overthrown was established in 1824. Its constitution was modeled largely after that of the United States (Garrison, *Texas*, 86).

²Gammel, *Laws of Texas*, I, 322.

³One work of the Consultation was the organization of a provisional government. "The scheme adopted was double, one part providing for a civil and the other for a military organization; and both of them were triumps of potential confusion and conflict of authority. The civil government was to consist of a governor and lieutenant-governor elected by the consultation, and a council made up of one member from each municipality elected by its delegates. The governor and council had ill-defined and practically coördinate powers, . . . and there was no provision against deadlocks" (Garrison, *Texas*, 107-108).

difference of opinion that the long and undignified quarrel between the governor and the Council has been ascribed.¹

The attitude of the Council on this subject is no doubt partly responsible for the general impression that in the fall of 1835 the majority of the Texans, known as the conservatives, were reluctant to withdraw allegiance from Mexico—that, in spite of their declaration to the contrary, they did feel still under moral obligation to remain faithful to the constitution of 1824.² Stephen F. Austin, also, repeatedly offered support for such a belief. In a report made to the provisional government, November 30, 1835, after explaining at some length that the volunteers had taken up arms in defence of the constitution of 1824, he continued thus:

I have faithfully labored for years to unite Texas permanently to the Mexican confederation. . . . There was but one way to effect this union with any hope of permanency or harmony, which was by admitting Texas into a state of the Mexican confederation. . . .

The people of Texas desired it; and if proofs were wanting (but

¹Smith, "The Quarrel Between Governor Smith and the Council of the Provisional Government of the Republic," in *Texas Quartermaster*, V, 293. The subjects of dispute as enumerated in this article were as follows: (1) the question of aiding Colonel Gonzales, a Mexican Liberal; (2) the change in the manner of drawing drafts on the treasurer, so that the council might vote money without the governor's consent—in anticipation perhaps, of Smith's opposition to assisting the Mexican Liberals; (3) the relations with General Mejia, another Mexican Liberal; (4) the call of a convention, in order to declare independence; (5) the appointment of D. C. Barrett and Edward Gritten, members of the Council, and prominent opponents of Smith, respectively as judge advocate general of the Texas armies, and as collector of the port of Corpus; (6) the Matamoros expedition, undertaken on the basis of cooperation with the Mexican Liberals.

²The declaration of November 7 was entirely illogical. It stated that Texas had taken up arms in defense of a union from which she herself had practically withdrawn. In referring to the confused statements in this document Austin speaks apologetically thus:

"The general consultation of Texas was elected at a time when the country was distracted by popular excitements, produced by the diversity of opinions which naturally resulted from the disbelief of some that the federal system would be destroyed, or was even attacked, the excited and interperate zeal of others, and the general want of certain information in all. It could not be reasonably expected that a body elected under such circumstances, would be entirely free from the conflicting opinions that prevailed amongst their constituents, or that a clear and positively definite position would be taken by it" (Austin to Barrett, December 3, 1835, in *Telegraph and Texas Register*, February 27, 1836; also in *Wooten, A Comprehensive History of Texas*, I, 598).

they are not) of their fidelity to their obligations as Mexican citizens, this effort to erect Texas into a state affords one which is conclusive to every man of judgment who knows anything about this country.

The object of the Texans, therefore, in wishing a separation from Coahuila, and the erection of their country into a state, was to avoid a total separation from Mexico by a revolution. . . .¹

Later on, also, in explaining the action taken by the Consultation of San Felipe, Austin again said:

The majority of Texas, so far as an opinion can be formed from the acts of the people at their primary meetings, was decidedly in favor of declaring in positive, clear and unequivocal terms, for the federal constitution of 1824, and for the organization of a local government, either as a state of the Mexican confederation, or provisionally, until the authorities of the state of Coahuila and Texas could be restored. This measure was absolutely necessary to save the country from anarchy, for it was left without any government at all, owing to the dispersion and imprisonment of the executive and legislative authorities, by the unconstitutional intervention of the military power. Some individuals were also in favor of independence, though no public meeting whose proceedings I have seen, expressed such an idea.²

Even William H. Wharton, one of the most radical advocates for independence, in speaking of the November declaration, said: "I do not blame the Consultation for their declaration. They were not empowered and it was not in the contemplation of those who elected them to make any other."³ Morfit, the agent sent out in the summer of 1836 by President Jackson to examine into the condition of affairs in Texas, also reported, August 22: "The Texans assert that this resistance was not because they even then [that is, after Cos's invasion] wished to separate from the confederacy, but,

¹Wooten, *A Comprehensive History of Texas*, I, 542-543.

²Austin to Barrett, December 3, 1835, *ibid.*, 564.

³Wharton to Archer, November 29, 1835, in Brown, *History of Texas*, I, 423. There is some conflict as to the date of this letter. It was printed in an undated circular as an enclosure in a letter from Archer to the editors of the *Telegraph and Texas Register* and in another circular, likewise undated, as an enclosure in a letter from Archer to the editor of the *Texas Republican* (both in Austin Papers). In the first case it is dated November 25, and in the second November 28.