THE POLITICAL PHILOSOPHY
OF SAM HOUSTON

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By

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Although most Americans view Sam Houston as a military leader and practical politician with little understanding of intellectual issues, he actually possessed a complex moral and political philosophy which he elaborated and demonstrated during a fifty-year public career. He based his philosophy on a mixture of Christian idealism and pragmatic realism, with duty, honor, and strict morality serving to restrain his love of reality, reason, and physical pleasures. The dual nature of his moral beliefs extended into his politics, which mixed Jeffersonian republicanism, individual rights, and limited government, with Jacksonian democracy, the needs of society, and the will of the people. Throughout most of his career he kept those conflicting sets of ideals successfully in balance, with only the turmoil of the 1850s leading him into extreme positions.
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I wish to express my gratitude to Jim B. Pearson, who contributed much to the development of this work before his untimely death.
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An extensive body of literature already exists on the subject of Sam Houston. Biographers have produced many different treatments of his life, with their contents ranging from uncritical praises of Houston’s virtues and popular tales of his life and times, to scholarly analyses of his actions and motives.\(^1\) Historians have investigated many aspects of his life in minute detail.\(^2\) With such an impressive quantity of work already in print, the creation of yet another volume requires some explanation. Basically, the current body of work neglects two important aspects of Sam Houston.

The first neglected aspect lies in the area of overall interpretation. Books and articles have covered parts of Houston’s career over and over again. For example, scholarly journals and popular magazines have published many articles about the battle of San Jacinto.\(^3\) Numerous articles have also covered various other military campaigns that involved Houston, such as the Snively Expedition and the Mier Expedition.\(^4\) No author, however, has attempted to tie all those military campaigns together in a general discussion of Houston’s military policies and military strategies. Similarly, a vast number of books and articles
have dealt with various topics concerning Houston's policies towards the Indians, but few authors have tried to unite all those topics into a general discussion of Houston and Indian policy.\(^5\)

Nonetheless, though such topical overviews are few in number and limited in scope, they do exist. What is completely missing is an overview of all of Houston's public policies. No one has tried to analyze those policies and then to integrate them into a statement of his political philosophy. This volume will attempt to provide that missing overall interpretation. After presenting a brief summary of Houston's life, it offers topical overviews of all the major subjects that Houston addressed during his public career. The concluding chapter then attempts to integrate the topical overviews into one overall summary of Houston's political philosophy.

Critical scholars could offer three major objections, or questions, to such a procedure. First, is there sufficient, appropriate evidence to make such a procedure valid? Houston's public career lasted from 1813 to 1861. During those forty-eight years he was usually in some position of public trust, at various times holding military commands, executive positions, and legislative posts. In the process he left behind an extensive public record, including eight volumes of private letters, public documents, and public speeches.\(^6\) Since he held both
executive and legislative positions, his actions serve as a check on his speeches. Simply put, this extensive body of deeds and words, not speculation about Houston's unstated motives or psychology, provides the material for this study.

Second, did Houston have a set of ideas which he adhered to consistently enough to be considered a political philosophy? Some military and political leaders are pragmatic men of action who adapt their principles to fit their situation. Such leaders cannot be considered to have a true political philosophy. Houston was not such a man! He rarely changed his views to suit his circumstances, and he was remarkably consistent in his public positions. In fact, he frequently made stands which cost him political popularity. Although he did occasionally contradict himself on a given subject, these inconsistencies usually occurred under extreme circumstances.

Third, did Houston simply acquire his principles as a body from someone else, or were his ideas different enough to be worth considering independently? Houston was definitely a Jacksonian. He shared many ideas with his friend and mentor, Andrew Jackson, but he also had some definite differences with him. In addition, Houston spent much of his public life outside the direct influence of Jackson. From 1832 to 1845 Houston lived in Texas, outside of the United States, and in 1845 Jackson died. If Houston was a Jacksonian in his later years, he was one simply
because he understood the philosophy well enough to apply it to his own circumstances. In short, his differences in philosophy and his differences in application are significant enough to make Houston worth separate consideration.

The second neglected aspect of Sam Houston lies in the area of his significance. Texas historians recognize Houston's importance in the development of Texas, but American historians largely discount his significance in the development of the United States. General histories of the United States usually mention his part in the Battle of San Jacinto, and they occasionally mention his election as the first President of the Texas Republic, but they virtually ignore the rest of his career.8 Most topical histories of the American antebellum period also give Houston little attention. For example, books on pre-Civil War Indian policy rarely even mention him.9 Books on the development of the secession movement do include him, but only as a minor figure of the period, while books on the Jacksonian movement either ignore him altogether or make only minor references to him.10

In one sense the American historians are correct. They are looking for men who had a positive effect on the outcome of historical events. After 1845 Houston had only a minor impact on U.S. events. On the level of political principles, though, he has a much greater significance. He
was virtually the only Jacksonian who managed to retain an important political position until the beginning of the Civil War. His career during the 1850s provides an excellent illustration of how an old style democrat reacted to the rise of the new political doctrines which swept the country toward sectional conflict. This volume attempts to show how the battle between Houston and his opponents on a wide range of issues provided a stunning demonstration of the problems and consequences of antebellum political philosophies.
Notes


2A good example is Jack Gregory and Rennard Strickland, *Sam Houston with the Cherokees, 1829-1833* (Austin: University of Texas Press, 1967).


in Texas," Quarterly of the Texas State Historical Association 7 (October 1903): 95-165. Although it only deals with the Republic of Texas years, the closest to a good overview is Muckleroy, "Indian Policy."


7 His fight against secession is an excellent example. See Albert Castel, "Sam Houston's Last Fight," American Heritage 17 (December 1965): 80-7.


With Andrew Jackson, Martin Van Buren, Thomas Hart Benton, and others, either retired or dead by 1861, Andrew Johnson was probably the only other major political figure who remained both active and loyal to Jacksonian ideals. For a similar view, see Donald Day and Harry Herbert Ullom, eds, *The Autobiography of Sam Houston* (Norman: University of Oklahoma Press, 1954), 266.
CHAPTER 2

PERSONAL LIFE AND PUBLIC CAREER

Sam Houston's life divides quite naturally into six phases. Since each phase differed fundamentally from the one that preceded it, his life did not display a natural progression, with each stage an outgrowth of the one before it. Brief periods of failure alternated with long periods of success. Although the trends of American history played a large part in his story, to a great degree he chose his own course, with his own values and choices usually producing the abrupt swings in his life. Only in the final years of his life did the course of events defeat him, but even then he lasted far longer than seemed possible at the time.

The first phase of Houston's life was, obviously, his childhood. He was born in Virginia on March 2, 1793, the fifth of the nine children of Samuel and Elizabeth Paxton Houston.¹ His father served with distinction in the Revolutionary War and continued as an officer of the Virginia militia after the war, while his mother was the daughter of a rich planter.² The family estate began as a large and prosperous one, but business affairs gradually went bad for the elder Houston, and he resolved to sell everything and begin again on the Tennessee frontier.
Before he could put that plan into effect, he died in September of 1806.³

In the spring of 1807 Houston’s mother and all nine children moved by wagon to a farm near Maryville, Tennessee. This farm was indeed on the frontier, as it was only a few miles from the lands of the Cherokee Indians.⁴ Houston, who was fourteen at the time, helped to establish the family farm, but he showed little talent for agriculture.⁵ His mother and brothers then persuaded him to work for a time as a clerk in a store in town, but he soon ran away to live with a tribe of the nearby Cherokees.⁶ One of the Cherokee chiefs adopted Sam as his son, and over the next few years he lived with the Indians, only visiting his white family and the nearby town occasionally.⁷

When his family asked his reason for this behavior, Houston replied that he enjoyed life in the woods far more than working on a farm, clerking in a store, or going to school.⁸ During that time he learned much about the Indian life and the Indian mind, even learning the Cherokee language well. Most of all, he developed a lifelong respect for the Indians.⁹

In 1812, at the age of nineteen, Houston returned to the white world to pay off a monetary debt which he had incurred. Though he had only about a year of formal schooling himself, he opened a school near Maryville. From May until November he taught local children, and the school
was successful enough to allow him to pay his debt.\textsuperscript{10}

In March, 1813, Houston put an end to his childhood years by volunteering to serve in the War of 1812.\textsuperscript{11} Though he entered as a private, he soon rose to the rank of sergeant, and then to ensign.\textsuperscript{12} In March, 1814, he was under the command of Andrew Jackson as the general moved his forces against the Creek Indians, who had allied themselves with the British. At the Battle of Horseshoe Bend, Jackson’s army soundly defeated the Creeks, and Houston displayed both courage and recklessness at the climactic moment.\textsuperscript{13} As a result, he suffered serious wounds: an arrow in the thigh, a musket ball in the right arm, and a musket ball in the right shoulder.\textsuperscript{14} Although Houston almost died from these wounds and suffered through a long and painful recovery, his actions favorably impressed Jackson, and the general became Houston’s lifelong friend and benefactor.\textsuperscript{15}

After the war Houston remained in the army, and, with Jackson’s influence aiding him, he rose to the rank of second lieutenant in 1814, followed by first lieutenant in 1817.\textsuperscript{16} After postings in New Orleans and Nashville, the U.S. government appointed Houston as an Indian subagent. The Indian Bureau assigned him the task of dealing with his friends: the Cherokees.\textsuperscript{17} Some of the Cherokee chiefs had signed a treaty in which they promised to give up their lands in Tennessee and move West. The rest of the chiefs
and most of the tribesmen had not agreed, and they did not want to move. Houston attempted to convince them to go ahead with the move, and by 1818 he persuaded most of the tribe that following the treaty would best serve their interests. 18

In early 1818, Houston accompanied an Indian delegation to Washington. In order to assure the Indians that they could trust him, he wore Indian attire while performing this function. The Secretary of War, John Calhoun, rebuked him for failing to wear a proper military uniform. 19 In addition, the Secretary accused him of abusing his official position by aiding slave smugglers. 20 Houston proved that he had actually tried to break up the smuggling ring, and he further demonstrated that his accusers were actually in league with that ring. Nevertheless, Calhoun did not apologize in any way for the false accusations. 21 As a result, Houston became so disgusted that he resigned both his commission in the army and his position as subagent. 22

With the United States-army period of his life at a close, Houston found himself without prospects. He returned to Tennessee, where he sold his remaining assets to pay some debts. 23 He then decided to become a lawyer, so he studied law in a Nashville law office, completing an eighteen-month course of reading in six months. 24 After attaining admission to the bar, he opened a law practice in Lebanon, not far from Nashville. 25 Soon Jackson arranged for him to
receive an appointment as adjutant-general of the state militia. When Houston’s Cherokee friends asked for his help in adjusting to problems in their new home, Jackson also helped him to secure the appointment as their Indian agent. After weighing his prospects as a lawyer against those as an Indian agent, he declined the position.

During the next ten years Houston's career flourished. He was elected attorney general of Nashville in October, 1819, then resigned that position in 1820 to devote himself to his private practice in Nashville. In 1821 the officers of the Tennessee militia elected him a major-general. In 1823, with Jackson’s assistance, he was elected a member of the U.S. House of Representatives. He served two terms in Washington, where he spent most of his time working for the interests of his constituents and promoting Jackson for president. In 1827 he returned to Tennessee to run for governor, campaigning on a platform that favored extensive state internal improvements, and the voters favored him by a wide margin. His term as governor was reasonably successful and essentially uneventful.

In early 1829 he prepared to run for reelection. Although his opponent was a tough one, Houston was popular, and his chances looked good. His private affairs, however, intervened. In January, 1829, he married Eliza Allen, a much younger woman who was the daughter of a wealthy and influential man. For some unknown reason the
couple separated a few months later, and his wife returned to her parents.\textsuperscript{36} The resulting scandal forced Houston to resign as governor. Despite his resignation, the furor continued to grow, and his friends could not help him. In a fit of despair he fled the state, thus bringing to an end the Tennessee-politics phase of his life.\textsuperscript{37}

The next period in Houston's life was his Cherokee interlude. When he left Tennessee, he went to the only place where he knew that people would welcome him: the Cherokee Nation in the Indian territories (now Oklahoma). The Cherokees did indeed welcome him, literally with open arms.\textsuperscript{38} The Cherokees were still having great difficulties in their new home, and Houston began helping them in their attempts to deal with the U.S. government.\textsuperscript{39} He worked to remove agents who were defrauding the Indians, tried to maintain peace between the Cherokees and the other tribes in the area, made trips to Washington with Indian delegations, and even helped neighboring tribes with their government problems.\textsuperscript{40}

Since Jackson was president and at times helped his friend to get results at the Indian Bureau, Houston's efforts did bring some improvements for the Indians.\textsuperscript{41} As a reward for his services, the Cherokees made him a citizen of their nation.\textsuperscript{42} He married an Indian woman, Tiana Rogers, opened an Indian trading post, and speculated in Indian lands.\textsuperscript{43} Houston, however, was not entirely happy.
Although he had always been a hard drinker, he was now drunk much of the time. The Indians even nicknamed him "Big Drunk," and he lost so much status with the tribe that he failed in an attempt to be elected to the tribal council. His problem seemed to be his shattered career. He had been on his way to the top, and now he was an exile from the white world. Houston clearly wanted back into the national political arena.

Curiously enough, his Indian rights activities indirectly provided the necessary access to the limelight. He became involved in a squabble over providing food rations to the Indians, with Houston claiming that he wanted to provide better food for the Indians at lower cost to the government, and his enemies maintaining that Houston was trying to use political pull to make money at public expense. In 1832 a Congressman named William Stanbery made a speech in the House of Representatives in which he accused Houston of fraud. While Houston was in Washington with an Indian delegation, he sent a challenging note to Stanbery, but the Congressman refused to receive it. When Houston subsequently met Stanbery in the streets of the city, he whipped him with a cane. This action led the House to try Houston for contempt of Congress, and Houston defended himself well. Although Congress found him guilty, his closing speech was so effective that it resurrected his reputation and brought his Cherokee interlude to a close.
While the Stanbery controversy was still brewing, Houston considered his next step. The political climate in Tennessee was still too hostile, so he decided to try Texas. He left his Indian life and Indian wife and arrived in the area in December of 1832. Though he was nominally on a mission for Andrew Jackson to the Comanche Indians, he quickly became a Texas resident. Over the next few years, he engaged in land speculation, established a law practice, and became involved in local politics, while still maintaining his contacts with his Washington friends and with his Indian friends. As Texas moved towards a break with Mexico, he gradually became one of the leaders of that revolution.

From 1833 to 1836, Texas voters elected three different conventions to deal with the Mexican problems, with each meeting more radical than the previous one. The 1833 Convention petitioned for separate statehood, the 1835 Consultation created a provisional government, and the 1836 Convention declared independence. Houston was a prominent member of all three conventions, with both the 1835 and the 1836 meetings electing him major-general of the Texas Army. Houston, however, favored a defensive war against Mexico, while most of the government and much of the army favored an offensive war. As a result, the army largely ignored him, and his only important contribution before March, 1836, was to negotiate a peace treaty with the Texas
The provisional government briefly cleared Texas of Mexican troops, but the leaders squabbled among themselves and failed to maintain a disciplined force. In February, 1836, Santa Anna invaded Texas with a large army which in two months annihilated the opposition at San Antonio and at Goliad. In March Houston finally gained command of the only remaining large Texas force. Stalling for time, he began a gradual retreat, meanwhile training his men, gathering additional forces, and waiting for Santa Anna to give him an opening. Though both the government and his own men insisted that Houston stand and fight, he continued the retreat for over a month.

Eventually, Houston moved his forces into position, and on April 21, 1836, the Texas Army gained a stunning victory at the Battle of San Jacinto. During the battle, he received a serious leg wound just above the ankle and left the army to go to New Orleans for treatment. Although the victory effectively secured Texas independence, in Houston’s absence the army challenged the authority of the civilian government, and the situation threatened to get out of control. After two months, Houston returned to Texas, and in late 1836, he was elected the first President of the new Texas Republic. To reestablish control over the army, he simply furloughed most of the troops.

During the next two years Houston organized a
functioning national government based on his objectives of peace and prosperity. He refused to consider offensive measures against Mexico, and he tried to build a peaceful relationship with the Indian tribes.69 Although the U.S. government recognized Texas as an independent government, it refused to consider the annexation which Texas voters overwhelmingly requested.70 With the United States in the grip of the Panic of 1837, Texas suffered from economic hard times, but Houston worked to keep the expenditures of government down, tried to keep the value of Texas paper money from decreasing, and achieved some success on both counts.71 When he left office in December, 1838, Texas was in a relatively peaceful and moderately stable condition.72

Mirabeau B. Lamar followed Houston as president, and he proceeded to change virtually every policy. He increased the size of all parts of the government, drastically increased government expenditures, and created vast amounts of paper money to pay for these measures.73 As a result, the value of the paper money fell to a small fraction of its face value, and the government was unable to pay its bills.74 In addition, Lamar made war on the Indians, and he sent naval and military expeditions against the Mexicans.75 These military efforts brought disaster in Mexico and widespread Indian depredations on the frontier.76 As a member of the Texas House from 1839 to 1841, Houston opposed these changes but could not stop them.77 While public
matters went against him, Houston's personal affairs improved. He married a young Alabama woman, Margaret Lea, and she brought him happiness, while curbing some of his bad habits. 78

In 1841 the voters overwhelmingly returned Houston to the Presidency, and over the next three years he tried to restore order to the government by slashing government expenditures to the bone and attempting to stabilize the value of the currency. 79 He made peace with the Indians and tried to end the war with Mexico, but Mexican raids across the border led to a public outcry for retaliation. 80 After some resistance to offensive measures, Houston responded to the demands by reluctantly authorizing three expeditions, of which two were merely unsuccessful, while the other was disastrous. 81 During this second term he also tried to revive interest in the U.S. for Texas annexation, although he personally had an ambivalent attitude on the subject. 82 When Houston left office in December, 1844, Anson Jones succeeded him, and Jones supervised the process by which Texas became a state of the Union in December, 1845. 83

The annexation ended the Texas-politics phase of Houston's life, because the new Texas state legislature elected him as one of its U.S. Senators. 84 He took his seat in March of 1846 and remained a Senator until 1859. 85 Although he was still deeply involved in Texas affairs, his interests quickly broadened to the national political
In April, 1846, friction over Texas annexation escalated into war between the U.S. and Mexico, and Houston vigorously supported the President’s war programs, while pushing for large acquisitions of Mexican territory and arguing for a protectorate over the rest of Mexico. He was very displeased when the peace treaty gave the U.S. only New Mexico and California.

The war, however, involved the U.S. Congress, in a much bigger question. Since the country had also settled the Oregon boundary question in 1846, the legislative branch had vast new territories to organize. Bitter disputes over allowing slavery in those areas dominated politics from the late 1840s until the outbreak of the Civil War, with southern extremists demanding slavery in all territories and northern extremists insisting on slavery in none of them. Houston was caught in the middle. He wanted slavery where it was economically feasible, namely Southern territories, but he saw no harm in prohibiting it elsewhere. As the battle over slavery escalated, Southern politicians directed much of their anger against Houston, whom they regarded as a traitor to the Southern cause.

Houston was the only Southern Senator who consistently voted a moderate position on the slavery question. In 1848 he was one of only two Southerners who voted for prohibiting slavery in Oregon. He was the only Southerner who voted for all parts of the Compromise of 1850, which included
admitting California as a free state. In 1854 the Senate passed the Kansas-Nebraska Act, which was the South's effort to extend slavery into northern territories. Once again Houston was one of only two Southern Senators who voted against it.

The slavery question so dominated political discussion that Houston's other efforts in the Senate were largely ignored. In 1850 he played a major role in settling the Texas-New Mexico boundary dispute in a way that greatly benefited Texas. Throughout his Senate career he argued long and hard for respecting the rights of Indians. He also offered many suggestions for improving frontier defense and for improving the army and navy. Sectional issues, however, buried everything else. The abolitionists and free soilers began to dominate northern politics. When the Southern Democrats became aggressively secessionist and proslavery, Houston found himself a man without a party. He turned briefly to the Know Nothings, but quickly grew disenchanted with them.

In 1857 he tried to counter the secessionist sentiment in Texas by running for governor against the regular Democratic candidate. Although he stumped the state for his pro-Union views, he lost the election. Meanwhile, the southern extremists in the Texas legislature grew disenchanted with Houston, even electing his successor in the Senate two years before his third term expired.
Despite this defeat, he remained in the Senate for his final two years and then returned to Texas to try again for governor as an independent candidate in the election of 1859. This time a combination of local issues and pro-Union sentiment carried him to victory.\textsuperscript{104}

In December, 1859, Houston took office as Governor, and he attempted to address such local issues as Indian problems and border raids, but his mind was still on the national situation.\textsuperscript{105} For example, he used his office to put his old plan of a Mexican protectorate before the whole country. Although he drew some interest, the country was preoccupied with the coming sectional conflict.\textsuperscript{106} When the election of Lincoln in 1860 precipitated the secession crisis, Houston did all he could to stop Texas from leaving the Union, before finally bowing to overwhelming public pressure.\textsuperscript{107} He then tried to keep Texas out of the Confederacy, but that effort failed also.\textsuperscript{108} When he refused to take the oath of allegiance to the Confederacy, the secession convention removed him from office in March, 1861. Rather than fight his removal, he quietly retired to his farm, where he died two years later, on July 26, 1863.\textsuperscript{109}

Houston's death concluded the national-politics period of his life. He began his public career as a soldier fighting to preserve the United States, and he concluded it as a statesman fighting for that same ideal. In between he experienced one of the most varied lives of any American
public figure, including the military positions of officer in the U.S. Army, officer in the Tennessee militia, and commander of the Texas Army, the executive positions of governor of Tennessee, governor of Texas, and President of the Texas Republic, and the legislative positions of U.S. Representative, Texas Representative, and U.S. Senator. Although his career ended with a failure and included a few other spectacular setbacks, his public life was predominantly a record of achievements. In a century filled with American success stories, Sam Houston's tale stands out as one of the most unusual and most successful.
Notes


2 James, Raven, 6.

3 Braider, Solitary Star, 9-10, 14-5; James, Raven, 9-11; Friend, Great Designer, 5.

4 [Houston], Life, 1; Donald Day and Harry Herbert Ullom, eds., The Autobiography of Sam Houston (Norman: University of Oklahoma Press, 1954), 5; Braider, Solitary Star, 15-6; James, Raven, 13-4.

5 Day and Ullom, Autobiography, 5; James, Raven, 15-6.

6 [Houston], Life, 1; Day and Ullom, Autobiography, 5; [Charles Edwards Lester], The Life of Sam Houston (The Only Authentic Memoir of Him Ever Published) (New York: J. C. Derby, 1855), 22; Malone, Dictionary, 263; Braider, Solitary Star, 17, 19; James, Raven, 16-7, 19; Friend, Great Designer, 5.

7 Day and Ullom, Autobiography, 7-8; James, Raven, 19-23; Friend, Great Designer, 5-6.

8 Jack Gregory and Rennard Strickland, Sam Houston with the Cherokees, 1829-1833 (Austin: University of Texas Press, 1967), 110; Day and Ullom, Autobiography, 5-6; [Lester], Memoir, 22-3; Braider, Solitary Star, 23-4; James, Raven, 19, 21.

9 [Houston], Life, 1; Day and Ullom, Autobiography, 6-8; [Lester], Memoir, 23-4; Malone, Dictionary, 263; Braider, Solitary Star, 24-5; James, Raven, 20-3.

10 Day and Ullom, Autobiography, 8; [Lester], Memoir, 26; Braider, Solitary Star, 27-9; James, Raven, 24-7; Friend, Great Designer, 6.

11 [Houston], Life, 1-2; [Lester], Memoir, 27; Malone,
Dictionary, 263; Braider, Solitary Star, 29-30; James, Raven, 29; Friend, Great Designer, 6.

12 [Houston], Life, 2; [Lester], Memoir, 27; Braider, Solitary Star, 30; James, Raven, 30; Friend, Great Designer, 6.

13 [Houston], Life, 2; James, Raven, 30-4; Friend, Great Designer, 6-7.

14 [Houston], Life, 2; James, Raven, 33-4; Friend, Great Designer, 7.

15 [Houston], Life, 3; James, Raven, 35-6, 38-9.

16 Amelia W. Williams and Eugene C. Barker, eds., The Writings of Sam Houston, 1813-1863, 8 vols. (Austin: University of Texas Press, 1938-43), 1:7 (Although most scholars refer to these documents by specifying the date and the people involved with a letter or speech, this work emphasizes the idea content of Houston's writings, and thus regards such details as of little importance to the analysis. As a result, all references to the writings contain only volume number and page number.); Braider, Solitary Star, 38-9; James, Raven, 37, 39, 43; Friend, Great Designer, 7.


18 Gregory and Strickland, Cherokees, 18-9; Day and Ullom, Autobiography, 18-9; Braider, Solitary Star, 39-41; James, Raven, 40-3; Friend, Great Designer, 7-8.

19 Gregory and Strickland, Cherokees, 18-9; Day and Ullom, Autobiography, 19; Frantz, "Texas Giant," 6; Braider, Solitary Star, 44-5; James, Raven, 44-5; Friend, Great Designer, 8.

20 Day and Ullom, Autobiography, 19; Frantz, "Texas Giant," 6; Braider, Solitary Star, 45; James, Raven, 45; Friend, Great Designer, 8.

21 Day and Ullom, Autobiography, 19; Frantz, "Texas Giant," 6; Braider, Solitary Star, 45-6; James, Raven, 45; Friend, Great Designer, 8.

22 Day and Ullom, Autobiography, 19; Frantz, "Texas
Giant," 6; Braider, Solitary Star, 46; James, Raven, 45-6; Friend, Great Designer, 8.

23 [Houston], Life, 3; Braider, Solitary Star, 47; James, Raven, 47.

24 [Houston], Life, 3; Day and Ullom, Autobiography, 20-1; Frantz, "Texas Giant," 7; Braider, Solitary Star, 47-8; James, Raven, 47; Friend, Great Designer, 8.

25 [Houston], Life, 3; Day and Ullom, Autobiography, 21; Frantz, "Texas Giant," 7; Braider, Solitary Star, 48; James, Raven, 47-8; Friend, Great Designer, 9.

26 Frantz, "Texas Giant," 7; Braider, Solitary Star, 48; James, Raven, 48; Friend, Great Designer, 9.

27 Day and Ullom, Autobiography, 21-2; Frantz, "Texas Giant," 7; James, Raven, 48-50.

28 [Houston], Life, 3; Day and Ullom, Autobiography, 22; Braider, Solitary Star, 50; James, Raven, 50; Friend, Great Designer, 9.

29 [Houston], Life, 3; Day and Ullom, Autobiography, 22; James, Raven, 50; Friend, Great Designer, 9.

30 Frantz, "Texas Giant," 7; Braider, Solitary Star, 53; James, Raven, 51; Friend, Great Designer, 10.

31 Malone, Dictionary, 263; Frantz, "Texas Giant," 7-8; Braider, Solitary Star, 53-8; James, Raven, 51-3, 55-7; Friend, Great Designer, 10-6.

32 Malone, Dictionary, 263; Frantz, "Texas Giant," 8; Braider, Solitary Star, 64-6; James, Raven, 59, 67-70; Friend, Great Designer, 15-6.

33 Frantz, "Texas Giant," 8; Braider, Solitary Star, 66-7; James, Raven, 71; Friend, Great Designer, 16-8.

34 Day and Ullom, Autobiography, 45; Malone, Dictionary, 263-4; Frantz, "Texas Giant," 8; Braider, Solitary Star, 73-7; James, Raven, 75-6; Friend, Great Designer, 18-9.

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Solitary Star, 77-80; James, Raven, 77, 79-80; Friend, Great Designer, 19-20.

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55 Braider, Solitary Star, 126, 136-9, 148; James, Raven, 194-5, 213-5, 224-7; Friend, Great Designer, 57-8, 63, 67-8.

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76 [Lester], Memoir, 200-2; Braider, Solitary Star, 189, 196, 210; James, Raven, 311-2, 321; Friend, Great Designer, 82, 85; Wisehart, American Giant, 353, 394, 397.

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80 [Houston], Life, 14; Day and Ullom, Autobiography, 176-8; Frantz, "Texas Giant," 64; Braider, Solitary Star, 209-15, 230; James, Raven, 321-4; Friend, Great Designer, 82, 85; Muckleroy, "Indian Policy," 26 (January 1923): 184-205; Wisehart, American Giant, 397-8.

81 The two unsuccessful expeditions were the Snively and the Warfield, while the disastrous one was the Somervell, or Mier. Williams and Barker, Writings, 2:39, 2:451-2, 3:465,
6:74-95; Day and Ullom, Autobiography, 182; Frantz, "Texas Giant," 64; Braider, Solitary Star, 216-21; James, Raven, 325-8, 332-3; Friend, Great Designer, 82-3, 85, 105-6; Wisehart, American Giant, 404-11, 419-20, 425-32; William Campbell Binkley, The Expansionist Movement in Texas, 1836-1850 (Berkeley: University of California Press, 1925), 106-11.

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83 Day and Ullom, Autobiography, 209-10; James, Raven, 351-8; Friend, Great Designer, 143-55, 158-9.

84 [Houston], Life, 15; Braider, Solitary Star, 243-4; James, Raven, 359; Friend, Great Designer, 115, 168-9.


86 Frantz, "Texas Giant," 64; Braider, Solitary Star, 255-6; James, Raven, 361-3; Friend, Great Designer, 173-85, 196-7.

87 Williams and Barker, Writings, 5:34-6; Malone, Dictionary, 266; Braider, Solitary Star, 246-7; James, Raven, 361-2; Friend, Great Designer, 175-6.

88 Malone, Dictionary, 266; Wisehart, American Giant, 517.

89 Day and Ullom, Autobiography, 219; James, Raven, 370; Friend, Great Designer, 174.

90 Williams and Barker, Writings, 5:121; Braider, Solitary Star, 253, 258, 274-7, 300-1; James, Raven, 370, 376-8, 382-4, 386; Friend, Great Designer, 190-2; Allan Nevins, Ordeal of the Union, 2 vols. (New York: Charles Scribner's Sons, 1947), 1:9-33.

91 Williams and Barker, Writings, 6:168-9, 7:361, 7:375; Braider, Solitary Star, 255; James, Raven, 379; Friend, Great Designer, 202, 229.

Thomas Benton of Missouri was the other southern Senator who voted for prohibiting slavery in Oregon.

John Bell of Tennessee was the other southern Senator who voted against the Kansas-Nebraska Act.

James, Raven, 386-7, 396-7, 404; Nevins, Ordeal, 2:460-71, 487-514.


CHAPTER 3

PERSONAL PHILOSOPHY AND BASIC BELIEFS

Sam Houston was not in any sense a systematic philosopher, and he never set out an explicit statement of his basic philosophical beliefs. As a down-to-earth person, he would undoubtedly have considered such an abstract undertaking as a waste of time. Nevertheless, his writings contain a liberal sprinkling of philosophical comments which he made while discussing other subjects, and those remarks indicate that he did possess a personal philosophy, one which he took quite seriously and made every effort to follow. Although he spent much of his life as a political figure, neither his public nor private views reflected the cynicism which frequently typifies a politician.

Instead, Houston tried to combine three conflicting elements into a positive attitude toward life: an idealistic concern for the larger issues of the world, a realistic attention to the practical problems of everyday life, and an occasional materialistic interest in the pleasures of a purely physical existence. Since this combination served as the foundation for both his basic beliefs and his political philosophy, throughout his career he had one great strength and one major weakness. His strong personal philosophy gave him the courage of deep
convictions when he engaged in his frequent political battles, but the inherent conflicts within that philosophy produced a few serious contradictions that undermined his political positions.

Since Houston was not an intellectual, he knew little about the centuries-old debate on the nature of the world and the source of knowledge. Among the philosophers of the nineteenth century, that debate had evolved into three main schools of thought. Each of these positions had an equivalent on the level of the ordinary man, with the complex arguments of the intellectuals simplified into terms that had meaning in everyday life. Houston saw that debate in everyday terms, and on that level he tried to avoid the extremes of all three positions.

Philosophers have assigned these three positions on the world and knowledge the following names: idealist, materialist, and realist. The argument turns on the relationship between the physical world and the human mind, with two of the schools arguing for the exclusion of one or the other, while the third stresses the equality of the two. In philosophical terms, an idealist believes that the human mind is supreme, that the physical world is either unreal or unimportant, and that the ideas in the mind are not derived from the physical world, but are instead either the product of the mind operating alone or the result of the mind receiving a communication from a higher realm, such as God.
or a world of unchanging perfect forms. In everyday terms, an idealist has ideas about how things should be and strives to make the physical world fit those notions, often at the expense of practical considerations. In either case, the most common example of an idealist is the highly religious person who pursues his own vision of what is right, refusing to modify his ideals to fit the practical considerations or changing circumstances of the physical world.

On the philosophical level, a materialist maintains that the physical world is supreme, that the human mind and its ideas are a derivative of the physical world, and that the ideas in men's minds are merely the product of the workings of matter. On the everyday level, a materialist believes that only the physical world counts, and thus he pursues comfort, pleasure, and wealth as his goals, while ignoring ideas, moral concepts, or any higher principles. On both levels, the most common example is the concrete-bound hedonist who pursues momentary pleasure and regards all intellectual pursuits as worthless. For philosophers, a realist holds that the physical world is real, that it has reality independent of any mind, and that the ideas in the mind accurately portray the status of that world. For average men, a realist faces facts, tries to be practical rather than visionary, and uses ideas as tools for dealing with the physical world. For both groups, the most common example is the research scientist who adjusts his theories
based on the results of controlled experiments.

Houston began his personal philosophy with an idealist position: the Christian religion. He had a firm belief in God, and not just a passive God who created the world and then stood back to watch, but a God who tried to guide the affairs of men towards a good end. Since he saw God as the creator of the world and the judge of men's conduct, he believed that he was responsible to the eternal God for his behavior. Since he believed in both a world beyond the physical and a life after death, he wanted to lead a pure life which would prepare him to meet God. If he followed God's moral rules in his life, he thought that God would justify his conduct, even though other people might not accept it. In order to find God's rules, he turned to the Bible, which he saw as a source of not only morality, but also wisdom on many subjects.

Despite these religious beliefs, Houston did not live as a strait-laced, or even a conventional, Christian. His early life contained numerous incidents of rowdy behavior, and he exhibited a great fondness for consuming liquor and for chasing women. In addition, his preference for the Indian way of life during two periods of his life indicated a partial rejection of conventional morality, as did his having three different wives, one without benefit of clergy. During his Cherokee Interlude, the Christian missionaries in the area even regarded him as a bad
influence on the Indians. Only late in life did he begin to behave more like a conventional Christian. Under the influence of his last wife, he gradually reformed his ways. Although he was well-known for heavy drinking in his youth, he became a teetotaler. Eventually, she even persuaded him to become an active member of an organized church and receive communion, both of which were acts he had avoided until the 1850s.

Although he used idealism as the foundation of his personal philosophy, Houston turned to realism for many of his other beliefs. He had a great respect for the real world, to the extent of insinuating that those who did not try to deal with reality were unconscious. In discussing public issues, he repeatedly insisted that people must use the facts, and he often expressed his contempt for those who invented things to support their positions. He even disliked works of fiction, such as novels, because he held that they were not based on reality. Beyond this simple insistence on reality, he expressed a much deeper attachment to realism by asserting that nature is the schoolmaster and that people should learn how to live by studying the workings of the physical world. Despite his religious idealism, he rejected any other form of reliance on ideas not based on the natural world. As he once said, he was a child of nature, rather than of art and refinement. For him, experience was the great teacher, and he learned how to
live life by analyzing the results of his own daily adventures in the real world.21

To analyze nature and experience, Houston advocated the use of sober thought and calm reason.22 He specifically rejected both prejudice and passion, arguing that a man should use cool reason, not petty passions, to guide his actions.23 He viewed the use of reason as an active process, not a passive one, maintaining that the experience of evil will not by itself teach wisdom.24 The process should work, argued Houston, by using reason to draw deductions from facts in order to produce rational principles.25 If a person followed the process correctly, he maintained that the resulting principles could regulate all things necessary to human happiness.26

Houston tried to apply this process to the world of politics. He argued that the wants and needs of society must serve as the starting point for government and laws. In order to determine the fitness of its laws, government must analyze the experiences of people trying to live in a society.27 That analysis, he reasoned, should lead to the development of general principles which would serve the good of the people. The resulting principles should in turn yield systematic legislation, not an accumulation of disconnected, contradictory laws.28 In other words, he believed that the government must plan ahead to create a rational system of laws which serve the public; it must not
simply respond to emergencies with an ever-changing series of expedient measures.

Since Houston insisted on rational principles in politics, he rejected both force and fraud as methods of political operation. Despite his military background, he specifically rejected force as an offensive weapon against foreign powers. He approved of using force against those who used it first, but he usually pursued defensive policies even in time of war.\(^{29}\) In internal political matters, he consistently advocated the use of reason to persuade people, rather than the employment of coercion to pressure them.\(^{30}\) He took a special dislike to politicians who tried to dictate the political opinions of others.\(^{31}\) Even when he believed that the people were making a disastrous choice, he refused to resort to force, as he demonstrated by peacefully yielding the governorship in the secession crisis of 1861.\(^{32}\)

In addition to rejecting the blatant force of bayonets and the more subtle force of coercion, Houston hated the hidden force behind fraud.\(^{33}\) When men won political office by promising to serve the people, and then used the power of that office to serve their own interests instead, he reached great heights of oratorical ire. As he often said, he despised corruption and favoritism in government, and he literally hated men who wanted to live off government and feast off the people.\(^{34}\) He could see no rational reason why the people should pay those who did not pursue those general
principles which would serve the public good.

Thus, Houston derived his principles of behavior from two different sources: his morality by divine inspiration via the Bible, and the rest of his philosophy by rational deduction from experience of nature. He seemed to believe that these two sources were completely compatible, because he never discussed any possible conflicts.\textsuperscript{35} Unfortunately, he never explained how the ideals of the Bible fit together with the principles of the physical world to form an integrated system. In some cases, he had no difficulties, such as the Christian admonition against theft agreeing well with his political prohibition of fraud. In other situations, he was not so fortunate, such as the Christian prohibition against killing not quite matching his political position of using force only in self-defense. Although he could undoubtedly have given justifications for such apparent contradictions, he would have had trouble reconciling the absolute nature of his religious rules with the conditional nature of his natural principles. "Thou shalt not kill" is not quite the same as "If a man tries to kill you, you are justified in killing him to stop the attempt."\textsuperscript{36}

The root of Houston's problem lay in his asserting that moral precepts should serve as the foundation for all excellent principles, while maintaining at other times that nature should serve as a foundation for natural laws.\textsuperscript{37}
Although he used faith to construct a framework of moral ideals, he also used reason to produce a structure of natural principles. Since he argued that all principles remain unchanged and eternal, he essentially denied the conditional nature of natural laws. Although change seems to be a constant fact of natural life, with nothing lasting forever, he believed that reason could provide permanent answers to questions about the physical world.

At the lowest level, Houston believed that people could solve their everyday problems by thinking them through, even criticizing those who avoided thinking about unpleasant consequences, when thinking about them might help to avoid them. At a much higher level, he argued that men could actually prognosticate the future by studying the past and the present. Throughout his life, he actively engaged in trying to predict the outcome of events, and he enjoyed more success than failure in his efforts. His belief in the possibility of predicting the future definitely implied that he thought that people could deduce something permanent from the history of past experiences.

Houston further complicated this subject by his choice of a religion. Although his mother raised him in the relatively intellectual Presbyterian Church, he eventually joined the highly emotional Baptist Church of the nineteenth century. The emotionalism of that religion did not seem to fit well with the cool reason which he advocated for
issues involving the physical world. He introduced even more complications by emphasizing that he found dealing with practical questions far superior to considering theoretical abstractions. For instance, he liked the humanities much more than the sciences, preferring subjects like history and grammar over disciplines like mathematics and abstract science. Apparently he thought that such abstract disciplines were not based on the real world, but he never explained how a person could construct rational principles based on the physical world if he did not reduce the many experiences of the natural world to a few theoretical abstractions. For those who advocate a rational understanding of the natural world, the construction of natural laws becomes a necessity, yet at times he resisted that practice.

If Houston had not indicated a firm belief in the power of reason, this dislike of abstract principles would have served as strong evidence that he was a materialist, or at least someone who seriously doubted the power of ideas. This aversion for abstract theories became even more difficult to understand in light of his frequent use of abstract principles in his own field of politics. When he treated such political concepts as rights and democracy as the virtual equivalent of moral laws, his disdain for mathematics became an unexplained contradiction of major proportions. In short, his love for idealistic moral
laws, disdain for abstract science, and choice of emotional religion, made uneasy allies for his affection for nature, insistence on firm political principles, and use of cool reason.

Despite these unexplained conflicts, Houston believed that the combination of Christian morality and rational principles would normally produce good results for an individual. Although one of his favorite mottos advised people to do right and risk the consequences, he actually thought that people did not have to choose between idealism and realism. On some occasions, he even argued that, in the long run, goodness and happiness go together, and that the virtuous are always happy. On only a few occasions did he display doubt about the certainty of happiness, such as when he advised his son to lead a moral life, on the grounds that a person who did the right thing and survived would be able to live with himself in his old age. Perhaps this doubt led him to his occasional drift towards the materialist view, especially when he opted for the unthinking state of a drunken stupor over the cool calculation of an alert mind. Certainly the unhappy condition of his life during his Cherokee Interlude contributed to the heavy drinking of that period.

Despite these doubts, Houston normally maintained his personal philosophy as an even mixture of idealism and realism, with only an occasional bout of materialism.
Indeed, his admonition that a person should seek only rational enjoyments more accurately reflected his usual attitude. This even balance between ideals from God and principles from nature carried over into the selection of his most important values. On the idealistic side, he placed the ancient triumvirate of duty, honor, and country at the head of the list. Because he believed that God gave men duties to perform, he regarded them as the ultimate goal. For Houston, this sense of duty contained an element of self-sacrifice, for he thought that those who knew the truth were obliged to tell it, to advocate openly what they believed, no matter what the risk to their own personal safety.

As for honor, Houston thought that a man must seek to have it, in both the private and public senses of the word. In the private sense, he believed that a person must have integrity, that he must behave according to right principles. In the public sense, he maintained that a person must appear to others as someone who possesses that integrity; other people must think that he has honor. He carried this public sense of the word to great lengths. When Congressman Stanbery accused him of fraud in the Indian rations case, Houston felt compelled to take action because such an accusation besmirched his reputation. Although he opposed the practice of duelling, he once engaged in a duel because the man had challenged him, and many people in his
community would have questioned his honor if he had refused to accept the challenge. 57

Love of country served as a capstone for much of Houston's moral and political outlook. He firmly believed in both patriotism and heroism, maintaining that a person should risk everything to protect the existence and the honor of his nation. 58 In his mind, honor and country were completely intertwined, with glory the proudest possible reward that a man could receive. 59 Since he twice risked his life in order to win great honor by defending his country, he certainly practiced what he preached. 60

As a balance to these idealistic and selfless goals, Houston possessed a strong sense of personal ambition. His ambition rested on a realistic attempt to rise as high as his abilities would carry him, not on a materialistic desire to succeed no matter what he had to do or whom he had to hurt. He actively pursued a political career, one which he even hoped would carry him to the White House. 61 Although he occasionally downplayed his own abilities while in the U.S. Senate, he normally indicated a dislike for modesty in men and showed a healthy respect for his own virtues. 62 He twice agreed to run for president of Texas after his friends convinced him that he was the only man who could rescue the country from threatening situations. 63 Although he probably did not act for personal gain in the Stanbery affair, he realized that the outcome had rescued his career from the
oblivion of the Cherokee Interlude, and he was definitely happy with that result. 64

Houston wanted that career, however, not just for the sake of his own personal advancement, but so that he could accomplish something with his life. Most of all, he sought not to live in vain. 65 He hoped to achieve something great, and he wanted other people to know and remember that he had done it. He did not desire mere fame, but rather a good reputation which would last well beyond his own lifetime. 66 Throughout his life, he was concerned that history would get the facts straight about the events in which he became involved. In his last few years in the Senate, he delivered a number of lengthy speeches in which he attempted to record for posterity his own view of the truth and the lies about the major controversies of his life. 67 With such a long-range view of personal success, he showed great disdain for the usual sorts of ambition, recommending that people choose right conduct over what he called empty ambition. 68 Since he believed that money would not pass in Heaven, he regarded other motives as higher than the pursuit of financial gain. 69 According to his standards, honorable reputation meant everything, while wealth meant nothing. 70

Since reputation meant so much to him, Houston specifically rejected any attempt to gain political office by sacrificing his personal or political principles. From the beginning of his career to the very end, he issued
repeated condemnations of expediency.\textsuperscript{71} Towards the end of his life, he expressed pride in the fact that his views had remained consistent over time, claiming that he stood where he had always stood for the last fifty years.\textsuperscript{72} By and large, he meant what he said. Although his views contained some contradictions and a few inconsistencies, most of these stemmed from inherent problems within his own philosophy, not from attempts to cater to the desires of the voters or powerful political figures.\textsuperscript{73} Some historians have correctly pointed out that he wanted very much to become president of the United States.\textsuperscript{74} Despite this ambition, he stated on numerous occasions that he would not change his principles to attain the presidency.\textsuperscript{75} In order to achieve that ambition in the 1840s and 1850s, he would have had to reach some compromise with either the proslavery or the antislavery forces, yet he steadfastly refused to do so, even going out of his way to irritate both groups.\textsuperscript{76}

In fact, the very concept of compromising made Houston uneasy. If a compromise would bring peace by settling a dispute according to sound principles, such as he believed the Missouri Compromise had done, then he supported it.\textsuperscript{77} If a compromise would involve the abandonment of sound principles and the sacrifice of the rights and the honor of the parties involved in the agreement, then he violently opposed it.\textsuperscript{78} Houston even allowed his dislike of expediency to affect his attitude toward personal
relationships in politics. He chose neither his friends nor his enemies on the basis of their possible impact on his political career. He remained loyal to his friends, almost to a fault, even when they might hurt his career, and he made enemies of powerful people whenever he disapproved of their conduct or their principles, even to the extent of holding grudges for years. His forty-year feud with John C. Calhoun was one such grudge, and it began over matters of personal conduct and gradually spread to political questions. 

By pursuing a principled version of personal ambition, Houston actually introduced idealistic elements into a normally realistic or materialistic area. As a result, idealism dominated realism in his value system, with duty, honor, glory, and reputation of more importance than personal success. If he had been willing to compromise those values somewhat, perhaps the politicians of the 1850s would have allowed him to reach the heights to which he aspired. Then again, maybe they would have still shunned him, because he was also out of step on the other great philosophical issue of his century: the relationship of the individual to society. During the nineteenth century, the trend among intellectuals gradually shifted from individualism to collectivism.

While the intellectual leaders of the late eighteenth century, political figures like Jefferson and Franklin, had
argued that the individual should be the center of society and politics, the new intellectuals, literary figures like Melville and Hawthorne, believed that the group should occupy the central position. 81 Those who held the collectivist viewpoint had many different ideas as to what type of group that society should hold most important, with locality, religion, culture, race, economic class, and nation, all finding favor as the basis for societal groups. 82 From the Mormons to the Marxists, Houston’s century abounded with new social theories which emphasized the virtues of communitarian spirit as opposed to the defects of self aggrandizement. 83

Although Houston accepted some of these new ideas, he steered a middle course on the developing controversy between individualism and collectivism. As a loner and a wanderer who possessed such a strong will that he twice survived wounds that would have killed most men, Houston exhibited many of the characteristics of a highly individualistic person. 84 He insisted that a man must think for himself, and he rarely accepted counsel from others. 85 For both his private and public actions, he considered himself accountable to God, the Constitution, and his constituents, but no one else. 86

Houston took the same attitude towards the behavior of others, arguing that people are responsible for their own actions. If a person behaved properly, Houston would offer
praise, but if a person did something wrong, he was just as quick with condemnation.\textsuperscript{87} Although he never said so explicitly, he seemed to think that people had free will, in the sense that they chose their own course, and the government could do little to alter that course.\textsuperscript{88} For instance, he maintained that the government could not make men honest by passing laws or offering rewards.\textsuperscript{89} In his view, only education offered much help for improving men, because it could promote intelligence and keep some from falling into the degradation which ignorance would cause.\textsuperscript{90}

Because he thought that some men actually choose evil, Houston wanted the government to watch carefully in order to catch such behavior before it got out of control.\textsuperscript{91} As he saw human nature, men are always corruptible, if not always corrupt, and those who become corrupt can easily turn worse, for the stupid and the lazy sometimes become malignant and vicious.\textsuperscript{92} Since he believed that some men would rather rule in hell than serve in heaven, he wanted the government to keep a constant lookout for the appearance of such men.\textsuperscript{93} In the case of government employees he urged extra care, on the grounds that public responsibilities require public scrutiny.\textsuperscript{94}

When Houston began to apply his personal philosophy to the political arena, he displayed the same ambivalence on individualism versus collectivism. As a defender of individual rights, he maintained that the government should
go to great lengths to protect the life, liberty, and property of individual citizens. On the other hand, he occasionally carried his support of democracy close to the extreme of maintaining that the majority can vote to do whatever it wishes, even to the point of endangering the survival of individuals. As a strong supporter of national unity, he often argued that the people of the United States should remain in one country because they shared the same language, the same religion, the same race, and the same customs. In his attacks on corruption in government, he attacked selfishness as the main cause of that corruption.

On some occasions, Houston continued this tendency towards group thinking by identifying the white race and the Anglo culture as synonymous with the best features of American society. On other occasions, however, he showed an aversion to the theories of racial and cultural superiority. Although he chose to live in the white man's world, he usually praised the virtues of the Indian race and the Indian culture. Although he defended the institution of slavery, he did so more for historical and economic reasons than for racial ones. He firmly rejected what he regarded as extremism on the part of both the proslavery and antislavery forces. When speaking of justice, he displayed the same ambivalent attitude on individuals and groups. He made many requests for justice for groups such
as Indians and Mexicans, but he made just as many appeals for justice to individuals. Essentially, he argued that the Constitution guarantees the same rights to all, but he was frequently vague about whether the government should render those rights to individuals or to groups.

Houston also used collective ideals in identifying two of his primary objectives of government. In talking about the nation, he tended to think of the people as a single unit, rather than a collection of individuals. Although he established the good of the people as the goal of laws, he often spoke of that good as a single ideal, not as a multitude of values, many of them different, some of them even conflicting with one another. He used phrases such as the common good, the greatest good for the people, the public good, and national interests, thus ignoring the possibility that the interests of some people might actually run counter to those of others.

In addition, Houston placed much emphasis on the need for harmony within a country. He frequently recommended the virtues of concord and peace over the problems of disunion and strife, and he argued that government employees had a duty to bring harmony to the world by allaying excitement, reconciling jarring interests, and harmonizing conflicting opinions. Although the United States had always had great diversity, with many different people pursuing a wide variety of different interests, Houston preferred to see a
single nation, with far more similarities in its people than differences. Those who did not fit his view of the American norm sometimes made him very uneasy, as when he made harsh comments about immigrants during the mid-1850s.107

Despite these collectivist tendencies, Houston remained very much an individual in politics. Despite his love of harmony, he would not abandon his own principles in order to preserve peace. Indeed, he had an intense dislike for any political grouping which did not use fundamental principles as its basis. He loathed factions, cliques, and coalitions.108 With his hatred of fraud, he avoided any political activity which seemed to involve more political patronage than political ideals. Even though the Jacksonians have received credit for inventing the spoils system, Houston personally disliked the idea.109 When he held executive positions, he did not appoint only his supporters to office.110 When he sought government positions, he tried to avoid the appearance of favoritism, on one occasion turning down a political appointment because the man whom he would have replaced was a man of ability.111 Because he disliked those who used politics to pursue their own interests, he also resisted log rolling and political lobbies.112

In his experiences with political parties, Houston continued his resistance to political groupings not based on principle. Although he was a Democrat for most of his
career, he abandoned the party when he believed that it had changed its principles. According to his view, he did not leave the party; the party left him.\textsuperscript{113} Even during his early years, he always argued that principles and deeds were more important than party.\textsuperscript{114} In the 1850s, he grew more and more disenchanted with parties, arguing that they had become less and less interested in the principles which he regarded as the lifeblood of politics. He also accused them of using party platforms to conceal the fact that they no longer stood for the unchanging, permanent ideals that the country required.\textsuperscript{115} By 1859, his views were so out of step with the current party structure that he had to run for governor as an independent.\textsuperscript{116}

Thus, on the issue of political parties, as with most of his personal philosophy, the key word for Houston was principle. Whether the topic involved the nature of the world, the source of knowledge, or the relationship between the individual and society, he constructed a set of beliefs which he attempted to follow. Although his views on those subjects lay in the middle between extreme positions, he consistently advocated and practiced his own unusual brand of philosophy. On the nature of the world and the source of knowledge, he combined the doctrines of idealism and realism, with a definite inclination towards idealism. On individualism versus collectivism, he tried to follow a middle course, despite a preference for the individualism
which trends among the leading intellectuals increasingly challenged. Although he was enough of a realist to know that his principles were gradually losing out, he was enough of an idealist to refuse to abandon them just so he could be on the winning side. Various authorities have called Houston everything from an opportunist to a man of honor, but the label which suits him best is man of principle.\textsuperscript{117}
Notes

1 Amelia W. Williams and Eugene C. Barker, eds., The Writings of Sam Houston, 1813-1863, 8 vols. (Austin: University of Texas Press, 1938-43), 7:546. Although most scholars refer to these documents by specifying the date and the people involved with a letter or speech, this work emphasizes the idea content of Houston’s writings, and thus regards such details as of little importance to the analysis. As a result, all references to the writings contain only volume number and page number.


5 Williams and Barker, Writings, 1:17, 1:151, 1:398, 1:413, 2:89-90, 2:190, 8:173.

6 Ibid., 5:222.

7 Ibid., 5:147, 6:396, 7:28, 7:117-8.

8 Ibid., 1:151.


11 James, Raven, 18-24, 73-7, 91-6, 126-7, 150-2, 312-5, 381; Shearer, "Religion," 39, 41.

12 Jack Gregory and Rennard Strickland, Sam Houston with the Cherokees, 1829-1833 (Austin: University of Texas Press, 1967), 88-92; James, Raven, 121-4.
13 Shearer, "Religion," 43-6; Marion Karl Wisehart, Sam Houston, American Giant (Washington, D.C.: Robert B. Luce, 1962), 344, 359-61; James, Raven, 314-5.

14 Williams and Barker, Writings, 4:420, 5:93, 5:303, 6:25, 8:86, 8:185, 8:349; Shearer, "Religion," 41, 44; Wisehart, American Giant, 360-1.

15 James, Raven, 385-6; Shearer, "Religion," 44-6, 49; Wisehart, American Giant, 548-50.

16 Williams and Barker, Writings, 2:515.

17 Ibid., 1:19, 3:144, 3:380, 4:438, 5:281, 6:365, 8:295, 8:306. Although Houston occasionally displayed a certain weakness on details in his public speeches, he had no way to check such details in the days of limited libraries and reference books.

18 Ibid., 8:339.

19 Ibid., 6:314-5, 8:327.

20 Ibid., 6:314-5.

21 Ibid., 1:115.

22 Ibid., 8:195.


24 Ibid., 4:205.


26 Ibid., 1:305.

27 Ibid., 1:115.

28 Ibid., 2:82, 3:204.


30 Ibid., 5:91, 8:212.


32 Ibid., 8:277, 8:290-2.

33 Ibid., 8:134.

34 Ibid., 1:70, 1:72, 3:10, 4:415.

58
Ibid., 7:28.


Williams and Barker, Writings, 5:526, 6:24-5, 6:28.

Ibid., 1:23.

Ibid., 1:472.

Ibid., 1:142, 1:244.


Williams and Barker, Writings, 6:267, 7:546.

Ibid., 7:300, 8:339.


Ibid., 4:200.

Ibid., 5:258, 6:373, 7:117-8.

Ibid., 7:28.

Wisehart, American Giant, 62; Gregory and Strickland, Cherokees, 72-3.
52 Williams and Barker, Writings, 7:27-8.


54 Ibid., 1:150, 1:446, 4:200, 5:222, 6:300, 6:309.

55 Ibid., 1:150, 4:60.


57 Ibid., 1:113-4; Wisehart, American Giant, 31-2; James, Raven, 64-7.

58 Williams and Barker, Writings, 1:23, 1:56.

59 Ibid., 1:23, 4:134.

60 James, Raven, 32-4, 248-57; Wisehart, American Giant, 16-9, 238-46.


63 Ibid., 1:446, 2:369.

64 James, Raven, 172-3; [George W. Paschal], "The Last Years of Sam Houston," Harper's New Monthly Magazine 32 (April 1866): 631.

65 Williams and Barker, Writings, 8:74.


68 Ibid., 4:263-4.


70 Ibid., 3:450.


72 Ibid., 6:204, 7:344.

73 See chapters 4 through 10.

74 Williams and Barker, Writings, 5:283, 7:29-30,

75 Williams and Barker, Writings, 5:332, 6:167, 6:183.


77 Williams and Barker, Writings, 5:102-4, 5:149, 5:492-4.

78 Ibid., 4:455, 5:149.


84 James, Raven, 32-8, 250-9; Wisehart, American Giant, 16-21, 244-6, 259-67.

85 Williams and Barker, Writings, 1:384-5, 6:189, 7:159, 7:316; James W. Pohl, The Battle of San Jacinto, ([Austin]: Texas State Historical Association, 1989), 33, 37.

86 Williams and Barker, Writings, 5:222.

87 Ibid., 1:400, 2:150-1, 2:163, 3:241-8, 3:402-4, 4:203, 6:30-63; Wisehart, American Giant, 348. Edwin W. Moore and Thomas J. Rusk provide illustration for that
point.

88 Goetz, Britannica, s.v. "free will," 4:965.

89 Williams and Barker, Writings, 7:137.

90 Ibid., 4:404, 6:373.


92 Ibid., 1:86, 3:135.

93 Ibid., 4:302.

94 Ibid., 3:439, 6:419-20.

95 Ibid., 1:35-6, 5:229, 8:346-7. See Chapter 4 for further details.

96 Ibid., 5:96, 5:233, 8:254.

97 Ibid., 5:280, 6:174.

98 Ibid., 2:26, 3:204.


101 Ibid., 6:168-177, 7:375.


104 Ibid., 4:241.


111 Ibid., 1:152-3.

112 Ibid., 7:241.


114 Ibid., 1:51-2, 1:91.


Sam Houston constructed a political philosophy which contained equal parts of the ideas of Thomas Jefferson and Andrew Jackson, with enough of his own variations to give the resulting mixture a unique Houstonian flavor. Although he accepted much of the philosophy of individual rights, he tempered the pursuit of those rights with a strong advocacy of the right of a democratic majority to determine the course of government. Inevitably, he found that the theories of natural rights and democracy are not always compatible, but he tried to find a compromise position between them. Since he regarded both political ideals as essential to the success of the American form of government, he hoped to preserve the virtues of each while curbing their excesses.

Houston believed that morality should serve as the basis for political principles. He began with the Christian religion and tried to apply its values to his everyday practice of politics. Starting from this moral foundation, he tried to use reason to study men's experiences in nature, with the object of determining what men need in order to survive in the physical world. In addition to producing a political philosophy that was both moral and rational, he
thought that this process would produce a systematic set of laws which would ensure a happy and successful life for the vast majority of a country's citizens. Although he never mentioned John Locke and rarely credited Thomas Jefferson, the system which Houston advocated owed a great deal to the amalgamation of Locke's and Jefferson's principles that appeared in the Declaration of Independence.

In Houston's estimation, the cornerstone of this moral and rational system was human liberty. In order for people to be happy and successful, they must be free to use their reason to pursue what they wanted out of life. Therefore, the government must construct a set of laws which guarantees the liberty of its citizens. He maintained that the basis for these laws aimed at liberty must be the concept of rights. The government must begin by constructing a proper definition of rights, and then it must make every effort to protect the rights of each individual. In simple terms, he believed that laws and government officials should protect honest men in their rights, and that one of the best ways to accomplish that objective is to arrest roguery and villainy.

For Houston, the basic rights which individuals possess are the traditional Lockian ones: life, liberty, and property. Thus, the purpose of government, indeed, its very reason for existing, is to protect life, liberty, and property. He believed that government must protect private
citizens and private property, or it was not worth having. In addition, he thought that government must pursue that purpose for all members of society, not just the well-off, wellborn, or well-placed, and he demanded equal rights and equal privileges for all. Throughout his career, he repeated that dictum in many different ways, insisting on equal justice for all, whether high or low, and calling for equal distribution of the benefits of government to all citizens and all sections of the country. Because he agreed with Jackson that the only way to preserve the just rights of all was to give preference to none, he adamantly maintained that the law should not grant special privileges to one class at the expense of others.

Unfortunately, Houston did not consistently defend this theory. Although he usually argued that morality should serve as the basis of government and society, occasionally he conceded that convenience and necessity also govern institutions, and he was at times willing to allow some exceptions to this ideal. In his era, the treatment of women, Indians, black slaves, and minority cultural groups, such as Mexicans and Orientals, stood out as four major exceptions to the idea that everyone should enjoy full and equal rights. Houston shared in making each of the four an exception, but he was far less guilty of these omissions than most of his nineteenth-century compatriots.

Although Houston never advocated giving women full
rights, he lived in a Texas which gave women more property rights than was the norm for his day, and he showed great pride in Texas for allowing women to control their own property. As for the Indians, he did not believe in giving them the same rights as white men, but he disagreed with most people of his generation in that he wanted to treat them as separate nations, with both their lands and cultures safe from violation. On the matter of blacks, he thought that they should remain as slaves, but his reasoning rested more on economic and historical arguments than on racist beliefs. In regards to other minorities, he tried to treat them better than most people did, even though he thought of many other cultures as inferior and sometimes failed to protect their rights adequately.

In addition to the three basic rights, Houston regarded many others as supplementary, and therefore equally worthy of government protection. He believed that the right to trial by jury, the right to vote, and the right of habeas corpus were inviolable. Since he thought of a properly-run press as one of the bulwarks of liberty, he advocated the right of freedom of the press. Even when he opposed the causes for which people were petitioning, he still respected and defended the right of petition. Since he maintained that freedom of religion is necessary for civil liberty to survive, he defended that right as well.

Houston believed that the object of all these rights
was to produce rational liberty by having a system of just laws.\textsuperscript{24} In order to provide an excellent foundation for this legal system, he thought the government needed to have a constitution which set forth the inviolable principles according to which it would operate.\textsuperscript{25} He maintained that the laws should be as simple as possible and that the administration of those laws should be impartial and consistent.\textsuperscript{26} If the government did not create sound institutions that strived to preserve liberty, he was certain that the outcome would be despotism or anarchy, or both.\textsuperscript{27} If people could not obtain justice from the government, he maintained that they would take the law into their own hands, and he believed that the resulting anarchy would be disastrous for liberty, rights, and society in general, without producing justice.\textsuperscript{28} If the government did not correct such a situation quickly, strong men would eventually appear to bring an end to both disorder and liberty.\textsuperscript{29}

Houston also thought that too much government would be just as disastrous as too little, and he firmly believed that a country should be governed wisely and as little as possible.\textsuperscript{30} He often warned against the evils of excessive legislation, asserting that Congress met too often and did too much.\textsuperscript{31} Since the object of government is to protect individual rights, he warned that the government must certainly not betray that object by violating rights.
itself. In his estimation, a constitution was a good way to prevent such a disastrous result, because that document could limit the powers of the government to a few specified ones, with all others remaining with the people.

In Houston's mind, rule of a country by the military constituted one of the greatest possible threats to liberty. He usually opposed standing armies, on the grounds that maintaining discipline becomes difficult in such forces, and without it, they constitute a real danger. As a military commander and as a chief executive officer, he repeatedly cautioned his troops that the military must not violate individual rights. During the Civil War, he criticized both the Union and Confederate governments for using the military to violate the constitutional rights of their citizens. Although he was a southerner, he had an intense dislike for those men of the South who attempted to serve their section's interests by discarding the rights set forth in the U.S. Declaration of Independence and the U.S. Constitution.

In line with his belief in limited government, Houston specifically rejected laws which prescribed rules of conduct. Although he believed that government must be based on morality, he did not think that it should enforce morality. According to his reasoning, murder, for example, should be illegal because it violated both the Christian prohibition against killing someone and the political
principle against violating someone’s right to life. If an act was morally wrong but not politically wrong, he maintained that society should use only moral persuasion to convince people to abstain from that act. According to Houston, the law should not attempt to make people either religious or moral, so he opposed legislation for curbing people’s vices. In one case, he opposed laws which prohibited the manufacture, sale, and consumption of alcoholic beverages, arguing that trying to suppress liquor is the equivalent of trying to suppress natural laws like fermentation that allow and encourage such a product. As a public official, he tried to keep liquor away from Indians and soldiers on duty, but he opposed the use of force to keep it out of the hands of ordinary citizens. Using the same reasoning, he did not favor blue laws which forced businesses to close on Sunday, because he believed that they violated both civil and religious liberty.

Houston fervently believed that the government must protect religious freedom. Although he was a Christian, he did not think that the government should support that religion, but should instead maintain complete separation of church and state. He believed that the denial of religious freedom had contributed to the revolt by Texans against Mexico, and he wanted to ensure that no single religion dominated the U.S. like it did Mexico. Nevertheless, he thought that the moral influence of
religious leaders could and should have a beneficial impact on the politics of the day. In the 1850s, he opposed efforts to keep ministers from petitioning Congress, and he argued that laws and constitutions which prohibited the clergy from serving in the legislature actually abridged religious liberty.

As a strong advocate of the right of private property, Houston rejected the idea of government relief. Although he sympathized with those who suffered from the vagaries and disasters of nature, he did not think that the government should take the money of one man to help another. He reasoned that relief attacks the foundations of property by forcing people to give part of their property to a purpose of which they might not approve. In his estimation, once such a precedent became established, no matter how good the motive, the haves would fight the have-nots in a battle which would dissolve society.

As a lover of liberty, Houston quite naturally hated tyranny. Although he conceded that conquest might start a government, he maintained that it cannot serve as a workable basis for one. He believed that rights are absolutely essential, both on moral and political grounds. If a government does not protect the people, and instead tries to subjugate them, they have the right to alter that government. He cautioned that the people must try all legal means first, but if every recourse fails and only
submission to tyranny is left, then they should try revolution.\textsuperscript{53} Throughout his life, he recommended resisting oppression and living free.\textsuperscript{54} In 1824, as a member of the U.S. Congress, he suggested that the country should stay out of the Greek revolt against the Turks, but he thought that the U.S. should at least verbally encourage the Greeks in their attempt to win independence.\textsuperscript{55} Later, in his U.S. Senate career, he spoke sympathetically of the plight of all oppressed nations, including Hungary, Poland, Ireland, and even Rome.\textsuperscript{56}

Houston always advised people to defend their constitutional rights.\textsuperscript{57} Whether he was urging Texans to fight for principles and the rights of man, or warning Americans against a national government which might become so strong that it could destroy the rights of individuals and states, the resistance to oppression remained his theme.\textsuperscript{58} He feared a situation in which the people would simply allow their rights to slip away from them, and he saw the possibility of a malleable legislature relinquishing and abandoning the country's liberties by giving power to a chief executive who would gradually assume total control over the government.\textsuperscript{59} In his version of history, he portrayed Napoleon as such a chief executive, a man who exchanged government favors for increased power until he became the master of a people who could no longer live as free people.\textsuperscript{60}
As Houston once said, he spent much of his life in attacking tyranny, despotism, and priestcraft. Of course, the Texas Revolution against the government of Mexico represented a large part of his fight against tyranny. According to his version of the story, the Texans had accepted living under the government of Mexico while it was a constitutional republic. When Santa Anna subverted that republic, however, and proceeded to destroy the constitution of Mexico and to centralize power in himself and in the capital city, Texans defended their rights under the original constitution. As far as Houston was concerned, Santa Anna had become a monster of despotism, and Texans merely asserted their legal rights under the constitution against a usurper. Texans remained loyal to the Mexican constitution, but not to the Mexican government.

When Santa Anna demanded that the Texans surrender their private arms, which they needed to protect themselves from Indians, Houston maintained that the Texans made the only choice possible: they declared independence from Mexico and prepared to face the dictator and his armies. In Houston’s view, Santa Anna’s goal was to enslave the Texans, so the ensuing war was a defense of the rights of the people. In short, Houston maintained that the Texans decided that their only choices were liberty or death. Although many found death at places like the Alamo and Goliad, victory at San Jacinto eventually brought the
Although Houston almost always spoke of the Texas Revolution in those terms, occasionally he indicated that other considerations besides constitutional liberty might have been at work. Normally he treated all Texans as a single group united in opposition to oppression, with many people of Mexican heritage working beside the Americans to achieve liberty for all. He even mentioned some of the republican leaders in other parts of Mexico who supported the revolt in Texas. In a few remarks over the years, however, he portrayed the struggle in a decidedly collectivist way, as a war between two opposing cultures or races. On one occasion, he attributed the war to a struggle between two different tribes, the Americans and the Mexicans, who lived on the same hunting grounds and thus were doomed to never get along. In that scenario, he favored his own tribe, maintaining that the indolent Mexicans were no match for the vigorous and sturdy northerners. He gave the tale a racial twist on a few other occasions, arguing that the Anglo-Saxon race had earned great glory by defeating the Mexicans who had wanted to annihilate Saxon blood from Texas. Although Houston rarely used this version of the revolt, the fact that he did so at all provides a glimpse of a man who occasionally abandoned his principles of constitutional liberty for the world of racial and cultural prejudices.
Despite Houston’s occasional tendency toward such remarks, the theme of individual rights dominated most of his discussions of the foundation of government. One other idea, however, played a giant part in his political philosophy: democracy. Throughout much of his life, he identified himself as a Jacksonian Democrat, although on rare occasions he would expand that designation to Jeffersonian-Jacksonian Democrat.\textsuperscript{73} The latter label is in a way both more accurate and more misleading at the same time. In its simplest terms, his political philosophy was a combination of Jefferson’s ideals of limited government and natural rights with Jackson’s ideals of democracy and popular government. The problem was that Jefferson had far more reservations about democracy than did Jackson and Houston.\textsuperscript{74} Jefferson called himself a republican, by which he meant that the government should exercise only limited powers. Although he thought that government should make its decisions for the benefit of all, rather than a select few, Jefferson did not believe that the people should have the unlimited power to do whatever they wished with the government. For Jefferson, one of the necessary elements of political theory was to try to ensure that the majority did not violate the rights of the minority.\textsuperscript{75}

For Houston, limiting government’s powers was also a major concern, but he had far fewer fears about placing power in the hands of the people. He was a democrat in
principle and on principle. Of course, he was a member of the Democratic party, but he was a Democrat because he was a democrat, and not vice versa. When he decided that the Democratic party no longer represented the desires of the majority of the people, he left the party. He truly believed that the people should rule, both in theory and in fact. In theory, he stated that all power derives from the people, and that supreme power resides in the people. In fact, he held that top-down government was wrong, that the wishes of the people should determine policies, not the desires of kings, politicians, aristocrats, or ruling cliques.

Houston maintained that liberty was not possible without democracy, and he wanted the structure of the government to contain popular institutions, ones in which the people actively participated in selecting their leaders. Because he believed that the people do not often err in their choices, he thought that the results would be generally good. For him, republican government meant only that the people delegated their authority to representatives. They did so simply because, as a practical matter, they could not all meet and act together. They did not do so because elected representatives could do a better job than ordinary citizens.

Even though the country must elect representatives, Houston insisted that the voice of the people must still
govern. In any election, the candidate with the most votes should win, or the outcome would frustrate democracy. For instance, when the House of Representatives chose John Quincy Adams over Andrew Jackson in the presidential election of 1824, Houston was angry, not only because his friend Jackson lost, but also because the members of the House had turned their backs on the candidate who had received the most popular votes. To his way of thinking, the House had committed the unforgivable sin of ignoring its constituents.

Not only did Houston believe that the will of the people should govern, but also he thought that the object of government should be the good of the governed. In his view, the government should promote the public good. He seemed to understand that the public good might not be the same as the various interests of different people, but in most contexts he treated them as one in the same. To the question of who should decide what the public good is, he unwaveringly replied that the public should decide that themselves. To the question of whether that method would produce conflicts between different interest groups, he acknowledged the possibility, and in any such conflicts he cast his lot with the common man.

Houston regarded the hard-fisted yeomanry as the heart of the country. Specifically, he thought of farmers as the backbone of the U.S., and he cast aspersions on all
other groups, such as politicians and aristocrats, who strove to control public affairs. In order to ensure that the common man would control the political outcome, he argued that every free man should have the right to vote. Every man, he maintained, has an interest in public affairs and is entitled to elective franchise. He was quite blunt about the alternative; to him, aristocracy was the enemy. Throughout his career, he opposed what he called an aristocracy of genteel people supported by the work and the taxes of ordinary people.

Houston's democratic attitude permeated virtually every aspect of his political philosophy. In national politics, he saw Andrew Jackson as the essence of virtue because he saw him as the president of the masses. In foreign affairs, he displayed an intense dislike for the Holy Alliance that dominated European politics during his era, on the grounds that those political leaders were dedicated to the destruction of democratic movements wherever they occurred. In his continuing battles with southern politicians during the 1840s and 1850s, he was fond of attacking the state of his old enemy, John C. Calhoun. He criticized South Carolina for not having democratic institutions and for allowing an oligarchy to rule, pointing especially to their use of property qualifications and other suffrage restrictions to limit the number of voters.

Houston thought that one of the worst possible
political situations occurred when the opinions of politicians dominated a country to the point of a total disregard for the opinions of the people. In such a situation, he believed, the result would be very bad indeed.\textsuperscript{97} He delighted in pointing to cases in which the people had made the right decision after the politicians had failed to do so. To his way of thinking, the annexation of Texas served as a good example, because the politicians had repeatedly rejected Texas until the American people had voted for expansion in the election of 1844.\textsuperscript{98} He also made an issue of situations in which the politicians made what he regarded as the wrong decision and then refused to submit the issue to the people. For example, he protested against the Republic of Texas moving its capital to the dangerous frontier town of Austin, insisting that the people should vote on such a move, but the Texas Congress never agreed to the vote.\textsuperscript{99} When Texas politicians wanted to secede from the Union in 1861, he demanded that they submit the measure to the vote of the masses. Unfortunately for Houston, when the politicians finally agreed, the measure passed overwhelmingly.\textsuperscript{100}

Houston tried as best he could to make representatives actually represent the people who elected them. He objected to any system of legislative representation which gave smaller groups of people the same voice as larger groups.\textsuperscript{101} Since representatives should be responsible to the people,
he insisted that they live in the area that they served, so that they would know what their constituents wanted.  

He even believed that the people should have a voice in selecting those who filled appointive offices in their area, arguing, for instance, that a district should select its own postmaster. In addition, he thought that the people should be able to remove officeholders if those officials disregarded the will of the people. With consistency one of his favorite virtues, he went so far as to say that he could not criticize those who exercised their right to vote by casting their ballots against him.

Houston's biggest complaint was against politicians who tried to lead the people, rather than allowing the people to choose the direction their representatives should take. Of this breed of politician, he thought that demagogues were the worst, because they tried to create public opinion by pressuring the people to think and vote in a certain way. Since he despised those who tried to shape public opinion, he criticized the devices that such people used for their undemocratic purposes. Among the devices which he put in this category were newspapers which served a particular political faction by twisting the news to fit their own particular perspective. In the 1850s, he came to place political conventions more and more in this category, because he believed that they represented political cliques, instead of the voice of the people. He also thought that
the Nashville Convention of 1850 suffered from the same failing, claiming that it contained more political agitators than representatives of the people. Since he placed his confidence in the masses, he rejected any meeting that was aimed more at promoting a particular viewpoint than at discovering what the common men had to say on a subject.

As a man who frequently represented the people, Houston took the idea of being a representative very seriously. He believed that someone who was elected by the people should not continue to hold the power which they had delegated to him unless that power would be renewed by his constituents on a daily basis. In other words, he held that a man who loses the confidence of the voters should resign his position. He even argued that it was his duty to submit to the will of the majority; whatever they wanted, he should try to oblige. In addition, he maintained that the interests of his constituents should make up the whole of an official's task. Whether a representative of the people succeeded or failed at that task, Houston argued that the man must account to his constituents for his actions.

Houston did not just espouse those ideas; he also acted on them. When he resigned as governor of Tennessee in 1829, as a result of the scandal over his first wife, he gave as his official reason the fact that he no longer had the support of the people and thus could not continue in the office. In many ways, however, the notion that a
representative must be almost a puppet whose strings the people pull, did not reconcile well with some of Houston's own political stands over the years. In 1842, while president of Texas, he refused to authorize an invasion of Mexico, although the public clearly wanted such a step. He maintained that an invasion was not consonant with sound policy and the true interests of Texas, and he did not permit one until after many months of clamor by the legislature and the public.\textsuperscript{117} In the late 1840s and early 1850s, he voted contrary to virtually every other Texan and southern representative on three key issues involving the subject of slavery: for organizing Oregon as a free territory, for admitting California as a free state, and against the Kansas-Nebraska Act.\textsuperscript{118}

On each issue, Houston claimed that his vote accorded with instructions from his state, with the Constitution, and with democratic principles, but he ignored the fact that many of the voters and most of the legislators in his state grew more and more unhappy with his stands.\textsuperscript{119} By 1855, he seemed to have pondered his situation relative to his own idea about daily-renewed power, and he sounded very much like he would resign from the Senate soon.\textsuperscript{120} Nevertheless, he did not do so. In 1857, he was defeated in a race for governor of Texas, and the state legislature selected his replacement as Senator, even though his term still had almost two years to go, yet he kept his seat until the
bitter end. In 1859, he stated that as long as his constitutional term continued, he would remain in the Senate to discharge his trust to Texas. Despite the unhappiness of his constituents, he argued that it was his wish and his duty to carry out the will of the people, and he maintained that he could continue to serve the state successfully as long as the nation had a Democratic president. Although he certainly could argue that he wanted to stand up for the true interests of Texas, in 1858 he could no longer claim that he represented the wishes of the voters.

For someone who began as an advocate of individual rights and limited government, Houston sounded unusual as a supporter of the unlimited right of the majority to get whatever it wanted. He argued that the right to think adversely is a guarantee of the American republic, yet he also maintained that the minority must submit to the majority. Although he qualified his position by stating that it was his duty to submit to laws that were not manifestly unjust, and that legal and constitutional means of opposition to the majority were permitted, he did not make it clear where the line between democratic will and individual rights lay.

The last few years before the Civil War further compounded this problem of extreme democracy. When the proslavery forces used undemocratic means to elect a government in Kansas territory, Houston was faced with an
impossible choice. Although the people of Kansas were clearly antislavery, the proslavery forces in Kansas wrote a proposed state constitution and submitted it to the U.S. Congress for approval.\textsuperscript{126} When this Lecompton Constitution came to a vote in the Senate, he knew that his constituents wanted him to vote for it, so he did, although he violated the democratic wishes of the people of Kansas in the process.\textsuperscript{127} When the secession crisis struck Texas in 1861, he stated that he would obey the will of the people once they had spoken through the ballot box.\textsuperscript{128} True to his word, when they approved the measure, he accepted it, although he believed that secession would destroy Texas and the South.\textsuperscript{129} When the Texas Secession Convention proceeded to take steps beyond mere secession, he fought them every step of the way, on the grounds that they exceeded the will of the people and the letter of the law, even though the people appeared to be overwhelmingly in favor of their actions.\textsuperscript{130} After the Convention deposed him from the governorship, he then supported the new government on the grounds that his duty required him to cooperate with the government that Texans had chosen.\textsuperscript{131}

Houston’s determined attachment to extreme democratic views becomes even harder to understand in light of his highly individualistic personal code. Adopting the attitude that he would maintain his opinion against the whole world if he thought that he was right, he once stated that he
would feel much humiliated if he were to permit the dictates of a rabble to influence any of his actions. In the 1850s, he asserted that he would not bow or cringe to popular favor or caprice. At the end of his life, he maintained that no fear of public condemnation would induce him to change or modify a view which he had honestly decided was right. In summarizing his position, the arch democrat and lover of the people stated that demagogues can still the voice of reason, and the voice of the people can become the voice of the devil and the hiss of the mob.

Houston's experiences with political parties in the 1850s illustrate some of the difficulties that he had with both his natural rights theories and his democratic principles. As the Democratic party grew more and more associated with proslavery attitudes in the South, Houston became disenchanted with it. The final straw was the support which most Democrats gave to the Kansas-Nebraska Act. That act repealed the Missouri Compromise, and Houston was convinced that the repeal would mean disaster for the South. Although much of Texas still supported the Democrats, he abandoned the party of the majority. From 1854 to 1856, he supported the American party, better known as the Know-Nothings.

That party based its campaigns on a negative attitude toward the cultural and religious values of many of the foreigners who were coming to the United States in the
Despite his ideological commitment to individual rights for all, Houston began to make very negative statements about those new arrivals, arguing that the flood of new arrivals was corrupting American politics. With a half million immigrants arriving each year, he believed that they constituted a threat to free institutions and to the South, because politicians were using them to turn American elections against the principles of limited government which had served the country so well. He even charged that Europe was sending the worst convicts and paupers to corrupt the country. In a sense, he argued that democracy cannot be extended to people who would vote to undo both the democratic system and the protection of individual rights. Unfortunately for Houston's political future, many people did not agree that excluding a large number of people from the democratic system would improve it.

The Know-Nothings also became involved in the very sensitive issue of freedom of religion. Many of the party members objected to the foreigners because the newcomers were Catholics and the oldtimers did not like that religion. Houston did not share that prejudice, but he did make some caustic remarks about Catholicism nonetheless. He objected to that religion because he believed that it had a longstanding tradition of interfering in the operation of the government. As a firm supporter of separation of church and state, he maintained that the Catholic church could
constitute a threat to the liberty of all Americans.\textsuperscript{143} At the time of the Texas Revolution, he had argued that the close tie between the Mexican government and the Catholic church constituted a threat to liberal principles, and he used as evidence the fact that Americans were required to join the Catholic church when they moved to Texas.\textsuperscript{144}

In the 1850s, he charged that the political influence of the Pope and the thousands of Catholic priests in Central and South America were at least partly responsible for the suppression of liberty in those countries.\textsuperscript{145} He did not want that oppression to happen here, and he pointed to the fact that northern politicians were making direct appeals to Catholic voters, thus giving religion an undue influence on politics.\textsuperscript{146} Essentially, he argued that a large number of Catholics in the country constituted a threat to freedom of religion and to other liberties as well. Unfortunately for Houston's political reputation, many people did not see how attacking the Catholic religion could help the cause of freedom of religion.

Houston did not just single out the Catholics. He also pointed out Brigham Young and the Mormons in Utah as an example of harm caused by putting religious figures in control of political affairs.\textsuperscript{147} He did not, however, seek harsh solutions for the religious problems that he saw. In the case of the Mormons, he thought that the U.S. could and should seek peaceful resolution of the situation.\textsuperscript{148} In the
case of the Catholics, he did not approve of laws making Catholics ineligible for public office, because such laws would violate their freedom of religion.\textsuperscript{149}

In the case of immigrants who did not understand the American governmental system, Houston did have some harsh solutions in mind. Before immigrants could come to this country, he wanted to require them to demonstrate good character to an American consul.\textsuperscript{150} After their arrival here, he wanted to require long waiting periods before they could obtain naturalization as American citizens. He maintained that twenty-one years would be about right, because that period would be long enough to teach them the values of the U.S. Constitution and laws.\textsuperscript{151} He reasoned that civil rights and voting are two separate matters, and while the government should certainly protect their rights, it should deny them the privilege of voting until they were ready to exercise it.\textsuperscript{152} As the man who had argued that the democratic process is essential to the survival of liberty, his making of such a statement indicated to many of his former friends that he was trapped in a hopeless contradiction. Perhaps it was no accident that the only time he lost an election in his life was when he ran for governor of Texas shortly after his involvement with the Know-Nothings.\textsuperscript{153} Whatever the reason for the loss, he had already abandoned the party, disgusted with their lack of good policies and their lack of electoral success.\textsuperscript{154}
Thus, by the end of the 1850s, the rising slavery controversy had revealed the extent of the contradictions in Houston's mixture of individual rights and democratic principles. As long as the common man supported the concept of a limited government, he enjoyed great popularity, won many elections, and governed with reasonable success. When the democratic electorate of the South sought to protect its interests in slavery by turning to politicians who had far less respect for the ideals of natural rights, Houston faced an impossible situation. In the process of trying to stop the majority from destroying a legal system which protected their interests as well as the rights of the minority, he adopted some positions which violated his ideals, but he continued to defend both of those ideals until the Civil War overwhelmed his efforts.
Notes

1 Amelia W. Williams and Eugene C. Barker, eds., The Writings of Sam Houston, 1813-1863, 8 vols. (Austin: University of Texas Press, 1938-43), 5:526. Although most scholars refer to these documents by specifying the date and the people involved with a letter or speech, this work emphasizes the idea content of Houston's writings, and thus regards such details as of little importance to the analysis. As a result, all references to the writings contain only volume number and page number.

2 Ibid., 1:115, 6:314-5, 8:327.


4 Ibid., 1:450.

5 Ibid., 3:32.

6 Ibid., 1:438-9, 2:89.

7 Ibid., 6:16.


9 Ibid., 8:346-7.

10 Ibid., 2:342.

11 Ibid., 1:35-6.

12 Ibid., 4:11, 7:363.

13 Ibid., 4:60, 7:421.

14 Ibid., 6:177.


16 Williams and Barker, Writings, 5:279.


18 Ibid., 6:168-77.

Ibid., 6:232.

Ibid., 7:420.

Ibid., 5:523.

Ibid., 1:36.

Ibid., 1:304.


Ibid., 2:89.

Ibid., 1:304, 7:344.


Ibid., 4:148.

Ibid., 7:100.

Ibid., 1:115, 2:366.

Ibid., 2:342.

Ibid., 3:514-6.

Ibid., 1:315.

Ibid., 3:122.


Ibid., 8:313-4, 8:316-8, 8:333-4, 8:347.

Ibid., 8:147.

Ibid., 6:25.

Ibid., 6:24-5.

Ibid., 6:24-5.


Ibid., 6:21-2.
44 Ibid., 6:197, 6:201.
46 Ibid., 5:528-9.
48 Ibid., 2:112-3, 2:342.
49 Ibid., 2:112, 3:342.
50 Ibid., 3:48.
51 Ibid., 2:342, 2:345.
52 Ibid., 1:23.
53 Ibid., 8:155.
54 Ibid., 1:316.
55 Ibid., 1:23.
56 Ibid., 5:354.
57 Ibid., 1:316.
58 Ibid., 4:95, 5:229.
59 Ibid., 1:217, 6:494-5.
60 Ibid., 6:494-5.
61 Ibid., 6:223.
62 Ibid., 2:515.
63 Ibid., 2:515, 4:530.
64 Ibid., 1:302, 1:316, 5:30.
65 Ibid., 4:527.
66 Ibid., 2:515-6, 5:421.
67 Ibid., 1:304, 4:300.
68 Ibid., 1:302, 2:160.
69 Ibid., 1:367-70, 1:393-5, 2:147, 2:160, 4:125-6,


71 Ibid., 1:338.

72 Ibid., 1:450, 5:30.


74 Tindall, America, 1:300-13.


76 Williams and Barker, Writings, 7:124.

77 Ibid., 6:202-6, 6:359-60.

78 Ibid., 7:73, 7:92.


80 Ibid., 4:390, 7:90-1.

81 Ibid., 2:315-6.

82 Ibid., 7:90-1, 7:345.

83 Ibid., 3:6-7.

84 Ibid., 1:26-7.

85 Ibid., 1:26-7.

86 Ibid., 1:83, 7:92.

87 Ibid., 3:2, 3:6-7.

88 Ibid., 7:344-53.

89 Ibid., 7:354.

90 Ibid., 1:78, 7:344-6.

91 Ibid., 3:442.
92 Ibid., 1:78.
93 Ibid., 3:392.
94 Ibid., 7:438.
95 Ibid., 7:94.
97 Ibid., 7:546.
98 Ibid., 5:18.
100 Ibid., 8:194, 8:227.
101 Ibid., 2:317.
103 Ibid., 1:113-4.
104 Ibid., 1:78.
105 Ibid., 7:349.
106 Ibid., 5:228.
107 Ibid., 7:553.
108 Ibid., 3:352.
109 Ibid., 7:344-5.
110 Ibid., 5:218-9.
111 Ibid., 8:59.
112 Ibid., 1:131.
113 Ibid., 5:61.
114 Ibid., 5:96.
115 Ibid., 5:229.
116 Ibid., 1:131.
117 Ibid., 4:73-6; Marion Karl Wisehart, Sam Houston, American Giant (Washington, D.C.: Robert B. Luce, 1962),
397-431.


120 Ibid., 6:183.

121 Ibid., 7:41-2.

122 Ibid., 7:205-6.

123 Ibid., 7:349-50.


125 Ibid., 5:235.


127 Williams and Barker, *Writings*, 7:42.

128 Ibid., 8:254.

129 Ibid., 8:195, 8:207, 8:275.

130 Ibid., 8:273-4, 8:280-1.

131 Ibid., 8:305, 8:311.


133 Ibid., 7:122.

134 Ibid., 8:295.

135 Ibid., 8:295-6.

136 Ibid., 6:388-90.


140 Ibid., 6:226.

141 Ibid., 6:236-7.
142 Tindall, America, 1:478-9, 1:620; Current, American History, 312-3.

143 Williams and Barker, Writings, 6:197, 6:201, 6:387.

144 Ibid., 1:431.


146 Ibid., 6:391.

147 Ibid., 7:351.

148 Ibid., 6:525-6.

149 Ibid., 6:22, 6:152.

150 Ibid., 6:151.


154 Williams and Barker, Writings, 7:341, 7:350; Friend, Great Designer, 245-6.
CHAPTER 5

MANIFEST DESTINY AND INDIAN POLICY

Sam Houston spent much of his life on the frontier, first in Tennessee, then in Indian Territory, and finally in Texas. His years on the frontier made the continuing conflict between the white men and the red men important to him both politically and personally. In the political arena that conflict led to his lifelong consideration of the topics of Manifest Destiny and Indian policy. Although he had much in common with the white frontiersmen, Houston did not share all their views on the Indians. Despite his attachment to many of the values of white civilization, he also had a great fondness for the virtues of the Indians. Throughout his life he tried to balance the interests of both civilizations in a way that would allow both worlds to survive and to prosper.

To a great degree Houston was the very personification of the doctrine of Manifest Destiny. He firmly believed that American civilization had a destiny to spread across a large portion of the North American continent, certainly west to California, probably north to Oregon, and perhaps south to Mexico. He did more than just talk about that destiny; he lived it, joining the thousands of other Americans who moved into Texas and changed it from a thinly-
populated Mexican border province to a rapidly growing American-style frontier community. Indeed, Houston and his fellow Texans created the political controversy which in the 1840s led to the very invention of the term Manifest Destiny. When the Texans won their independence from Mexico in 1836, they asked for annexation to the United States, but Andrew Jackson and his followers failed to act on that request. Although many Jacksonians favored Texas annexation, Houston and Texas had to wait almost ten years for the United States to accept the results of Houston’s version of American destiny.

The expansion efforts of the Texans followed the American pattern quite closely. American settlers normally moved into wilderness regions which contained very few occupants. Although the United States often acquired sovereignty over such regions before settlers arrived, the frontiersmen rarely allowed the legal situation to curb their movements. In fact, they frequently ignored treaties the U.S. had signed with the Indians who claimed the lands of the wilderness regions. To many Americans of this era the wilderness contained either unused or misused land, and they had few problems in finding ways to put to use the land which they thought the Indians had failed to use properly. As Americans moved into a new region, they brought with them their own culture, which included a definite preference for particular types of governmental institutions. Once
enough people had arrived in a region, the settlers expected
the rapid creation of a government based on American
principles of liberty and democracy.¹¹

If events did not live up to that expectation, the
inhabitants became restless in short order.¹² According to
Houston, that restiveness explained the Texas Revolution
against Mexico. When Santa Anna made clear his policy of
centralization of power in Mexico City and in the office of
President, the transplanted Americans (and some of the
native Mexicans) rejected such a policy as a violation of
the proper principles of government.¹³ For Houston, liberal
principles made the American system of government work.
Without the love of liberty neither the American people nor
the American culture would prosper.¹⁴ In his view, liberal
institutions formed the foundation of American civilization
and explained why Americans would dominate the continent.¹⁵
In a very real sense, he thought of expanding American
territory as extending the area of freedom.¹⁶

Houston saw one main motivating force in the American
march across the continent: many individual Americans loved
land.¹⁷ Many Americans wanted new territory for their
country because they saw new farm land as the key to their
own economic freedom. They saw political freedom and
economic freedom as inseparable.¹⁸ This desire for new farm
lands gave Houston more than a few philosophical problems.
On one hand he understood and sympathized with those who
wanted to build their economic future on that new farm land. On the other hand, he realized that every new area opened to farming was one less area available as Indian hunting grounds. He knew that the Manifest Destiny of the American culture meant the rapid decline of the Indian culture. Unlike many of his contemporaries, Houston understood and respected the Indian culture, and he deeply regretted the difficulties which they now faced.

Unfortunately, he never found a lasting solution to this conflict. As a result, his advocacy of Manifest Destiny contributed to the Indian decline. Houston aggravated his problem by confusing just who or what he meant when he discussed Manifest Destiny. He did not believe that it necessarily referred to the United States. On a number of occasions he stated that the Texas Republic could have served as a vehicle for that destiny just as easily as the U.S. did, but he never precisely defined the necessary ingredient of that destiny. Sometimes he emphasized the spread of American culture, but at other times he emphasized the spread of the American people. When he discussed the spread of the people, he occasionally used non-racial phrases, such as the North American people, but more often he used racial terms, such as the Anglo-American people and the Anglo-Saxon race.

Of course, to Americans of Houston’s day American culture often appeared synonymous with the Anglo-Saxon
Certainly, few whites had accepted Indian culture, few Indians had adopted white culture, and few people conceived of America as a melting pot for races and cultures. Nevertheless, Houston's remarks on Manifest Destiny did have a racial undertone which undermined his liberal idealism. In actual practice he treated Indians better than virtually any political figure of his generation. In addition, he accepted other non-Anglo-Saxons, such as Mexicans, into the highest political and social circles. He even dealt fairly with what most people in his century called half-breeds. Although he certainly did not attain twentieth-century standards on this subject, his attitudes contained far fewer racial prejudices than those of his contemporaries. For him, Manifest Destiny rested not on racial qualities, but on the character of all American people as expressed in their liberal institutions.

Houston's philosophical problems with Manifest Destiny became even more complicated when he tried to answer the question of who actually owned wilderness land. Since he personally preferred hunting over farming, he could understand the Indian contention that land on which a tribe hunted became their property. Since he acted as the political representative for areas composed primarily of farmers, he could also appreciate the white position that only using land in a productive way established ownership of
Like the other Jacksonians, Houston continually extolled the virtues of agriculture, but, unlike them, he often maintained that Indians had a right to some of the lands which they occupied. While many whites argued that the Indians must actually use the land or lose it, he refused to accept completely the doctrine that possession required use.

He could, however, accept and understand the motivating force behind the whites' desire for land. He realized that a large majority of Americans acted as individuals for their own individual gain. Although they did not ignore wider considerations like their community and their country, many Americans placed family and personal success at the head of their list of priorities. Houston could certainly understand that position, because he himself had highly ambitious goals and a very individualistic philosophy. The spirit of individual enterprise burned brightly in the U.S., the nation of individuals, and he wanted a prominent position in that country, with even the presidency not beyond his desires. For him, egoism took the form of desire for personal glory, but for the average frontiersman it appeared as the quest for farm land, and for the country as a whole it became the search for new territory.

Although egoism dominated his personal philosophy, Houston mixed two other elements into his makeup: respect for the rights of others and a duty to help others. He
frequently defended the rights of the Indians, and he often tried to protect Mexicans from the excesses of his fellow Texans. His sympathy for the original inhabitants of the new lands often put him at odds with both his enemies and his supporters, but he never lost that sympathy. In his later years, however, a strong sense of duty gradually changed the nature of that sympathy. He came to believe that Americans should do the right thing for those whom Manifest Destiny pushed aside in its drive to the Pacific. During the late 1840s he began to suggest that the destiny of the American race might consist of civilizing the whole continent.

At one point during the Mexican War, Houston even saw the war itself as the finger of God because it aided the spread of American territory. As the war drew to a close, he became an advocate of taking more and more Mexican territory, even suggesting at one point that the U.S. should take all Mexico. He argued that such an action would benefit both the Americans and the Mexicans, with the introduction of liberal American institutions reforming the Mexicans by saving them from the destructive influences of alternating waves of despotism and anarchy which plagued their country. Although Houston did not advocate the late-nineteenth-century concept of the white man's burden, he certainly took a giant step towards it. While later political figures argued that Americans had a duty to
civlize the less fortunate, he simply wanted to combine American gains in territory with the benefits of liberal government for those who lived in the conquered area. In a sense, his stand represented an intermediate position between respecting the rights of others and sacrificing to help others.

In 1858 Houston renewed his call for all of Mexico by suggesting that the United States should establish a protectorate over that country. In lengthy speeches in the U.S. Senate he explained that the measure would provide economic benefits to Americans, would stop very damaging raids on American territory by Indians and bandits, would prevent fugitive slaves from escaping to Mexico, and would rescue the Mexicans from their continuing political anarchy. When the U.S. government rejected his proposal, he continued to promote the idea. When he became governor of Texas in 1859, he tried unsuccessfully to obtain state and federal sanction of military measures which could have led to an invasion of Mexico. Although he thought a government invasion a sound idea, Houston refused to consider a private filibustering expedition. Without official sanction he would not consider the venture and actually issued several anti-filibustering statements to try to keep others from trying it. Perhaps he realized that a private military conquest would fundamentally undermine the virtues of Manifest Destiny.
American expansion originally involved the individual movement of American settlers into wilderness regions under American jurisdiction. The settlers carried their culture and their values with them, and, when they attained the necessary numbers, they created governments with liberal institutions. Although the Texans went outside the classic pattern by beginning the process in Mexican territory, Houston justified that deviation by reference to Mexican despotism. The Mexican War stretched the pattern to the breaking point by introducing military conquest, but Houston still supported Manifest Destiny by stressing the value of American institutions as opposed to Mexican ones. Although he had many reservations about the problems and consequences of American expansion, he recommended yet another change in the pattern: the imposition of American institutions on large numbers of people who did not share the American culture. Perhaps he simply became intoxicated by American expansion, or maybe he hoped that liberal institutions would bring some much needed relief to the Mexicans.

Whatever his reasoning, Houston should certainly have displayed more skepticism about the outcome if white men tried to impose American culture on men of predominantly Indian ancestry living under a mixed Spanish/Indian culture. Since he had had first-hand experience with what American civilization had done to American Indians, perhaps he should have displayed more doubt about the result when Manifest
Destiny encountered Mexican Indians.\textsuperscript{56} In fact, when discussing the impact on American Indians, he did evidence a great deal of skepticism, anger, and even disgust.\textsuperscript{57} Throughout his life he remained critical of the way that the white man treated the red man.\textsuperscript{58}

 Houston respected Indians and their culture.\textsuperscript{59} He deliberately chose to live among them for an extended period twice during his life, once because he preferred spending his teenage years hunting and fishing rather than farming and clerking, and once because personal scandal made him unwelcome in white society.\textsuperscript{60} During these extended stays, he learned the Cherokee language, a formidable task which indicated his determination to understand and deal with the Cherokees on their own terms.\textsuperscript{61} Throughout his political career, all of his letters to Indians contained Indian phrasing and projected an Indian frame of mind. He tried to explain things to the Indians from their point of view rather than from the white perspective.\textsuperscript{62}

 During his stay in Indian territory the Cherokees rewarded him for his services to the tribe by making him a citizen of the Cherokee Nation.\textsuperscript{63} When the U.S. government tried to enforce the Indian Intercourse Acts against him, he maintained that he held Cherokee citizenship so the laws did not apply to him.\textsuperscript{64} Whether or not he really thought of himself as a Cherokee, he definitely worked hard for Indian rights during his second stay with them and during his later
political career. Both then and later his arguments in
their behalf followed a consistent pattern. Houston always
maintained that Indians possessed a basically honorable
character which in some ways made them superior to whites.
The conflict between the races resulted from the
hypocritical conduct of white men who made treaties that
they never intended to keep and then proceeded to break
them. According to him, white men broke treaties, not
Indians.

Houston argued that most of the problems stemmed from
the fact that whites cheated Indians out of their lands. Although on some occasions he declared his admiration and
understanding for the Americans' desire for farm land, on
many other occasions he chastised the whites for their greed
for land. Many times the white man's government pledged to
keep the Indian lands inviolate, only to have individuals
break those pledges almost before the ink had dried on the
treaty. Although lust for land created the basic problem,
Houston contended that corrupt Indian agents and greedy
attorneys aggravated that problem greatly. The United
States pledged to give money, supplies, and trade goods to
the various tribes. He demonstrated how crooked Indian
agents used various legal schemes to cheat the Indians out
of much of what the government had promised them, with less
than a third of what Congress had appropriated for the
Indians ever reaching their hands.
Although stolen land and broken promises constituted the biggest problems, Houston also criticized the whites’ record on justice. When whites violated the rights of Indians, whites usually refused to punish the offenders. If a white man murdered a red man, the so-called justice system would often not even arrest and try the offender, much less convict and punish him.\textsuperscript{72} When Indians violated the rights of whites, whites usually refused to follow the procedures established by treaties. If the whites took the trouble to discover the guilty individual Indian, they usually seized and punished him themselves, although the treaties required that the whites notify the appropriate chief and allow the Indians to punish the guilty man according to Indian law. Even worse, the whites often did not try to find the guilty individual; they simply found the nearest Indian and punished him instead of the guilty party.\textsuperscript{73}

In short, Sam Houston usually portrayed the white man as a viper in the Indian’s bosom.\textsuperscript{74} To counter that situation, he spent large parts of his executive and legislative careers working for a just and liberal course for the Indians. In general, he had a simple remedy: treat the Indians properly, and peace will follow.\textsuperscript{75} Specifically, he had a detailed plan for solving all the problems. As a beginning the whites must keep their treaties with the Indians, and those treaties must guarantee the Indians their lands and allow them to live according to
their own laws and customs. To tie the Indians to the whites in a peaceful manner, he wanted the government to give the Indians frequent presents and provide for their basic support when the tribes fell on hard times. In addition, the government should arrange for trade between the races, with well regulated trading houses giving the Indians an incentive to work with the whites rather than against them.

To keep the peace, Houston usually argued that the whites and the Indians must live a separate existence. As long as the races mixed together, he foresaw only continued trouble, so he recommended that the government regulate relations between the races. He even went so far as to suggest that the government should establish a line between the two groups, with both whites and Indians prohibited from crossing the line without a passport from the authorities. Houston believed that these policies would establish peace, but he had one further recommendation. If the Indians did commit some offense against the whites, the government should try to resolve the matter by negotiating with the tribal chiefs. He strongly opposed sending large punitive expeditions against the Indians. Although he fought in such an expedition as a young lieutenant and sent a few during his term as Texas governor, he usually maintained that such ventures led to more war rather than peace.

During his years in public office, Houston consistently
contended that overwhelming military force would not solve the Indian problems.\textsuperscript{85} To achieve peace at much less cost in lives and money, the government need only treat the Indians honestly.\textsuperscript{86} He added that Indian agents must also understand Indian culture in order to deal fairly and successfully with the tribes.\textsuperscript{87} At times he almost seemed to say the best way to protect whites from Indians was to protect Indians from whites.\textsuperscript{88} When he had the chance, he usually tried to implement his policies. As a young Indian sub-agent, he persuaded the federal government to fulfill some of the treaty promises which it had made in the past and then ignored.\textsuperscript{89}

During those years the government assigned him the task of persuading his friends the Tennessee Cherokees to give up their lands and move to Indian Territory. Although this task violated his principle of allowing the Indians to keep their lands, he advised his friends that the move would serve them better than trying to remain in Tennessee, and they followed his advice.\textsuperscript{90} Although the Tennessee Cherokees had many problems in their new home, the grim result when the Georgia Cherokees later tried to hold their lands suggests that perhaps Houston really had his friends' best interests at heart.\textsuperscript{91} When he later joined the Tennessee Cherokees in Indian Territory, he once again worked strenuously to get the government to fulfill its treaty obligations to them and to neighboring tribes.\textsuperscript{92} For
example, his articles in the *Arkansas Gazette* in 1830 outlined many abuses in the Indian Bureau, and the government actually corrected a few of those abuses.  

As a representative of the Texas Revolutionary government of 1835 and 1836, he negotiated a treaty with the Texas Cherokees guaranteeing their lands and tribal laws in exchange for their neutrality in the war with Mexico. Although the Texas legislature never ratified that treaty, over the next few years Houston tried to implement its provisions. When he became the first president of the Republic in late 1836, he maintained that the Cherokees had fulfilled their end of the bargain, so Texas should honor her part of it. Throughout that first term, he succeeded in keeping peace with most of the Texas Indians by pursuing his policies of treaties, presents, and trade. Trouble, however, developed as that term came to a close. Much of the public and many in the Texas Congress favored war with the Indians.

When Mirabeau Lamar became the second Texas president, he set out to drive all the Indians from Texas. He informed the Texas Cherokees that their land belonged to the republic and they must leave. When they refused, Lamar ordered the army to remove them, and in the resulting war the Texans killed many of the Cherokees and drove the rest over the border. Lamar followed this action with a campaign that resulted in the massacre of many of the Comanche chiefs.
Throughout the rest of his term, Texas suffered many depredations from a wide variety of Indian tribes. General warfare against the Indians killed many of them, but it also resulted in the deaths of many whites and an extremely high expenditure for the military campaigns involved.100 Lamar's war program did not bring peace; instead it helped to return Houston to the presidency.101

During his second term (1841-1844), Houston implemented much of his proposed Indian program. After spending a considerable amount of time convincing the Indians that the bad chief Lamar was no longer in office, he signed treaties with most of the tribes, with even the Comanches eventually coming to terms.102 Since few Indians remained in the settled areas of Texas, the treaties did not guarantee Indian lands or tribal laws, but Houston used the rest of his ideas.103 He kept treaty promises, sent presents, provided a little support, arranged trade, employed agents who understood the Indians, tried to establish trading houses, prosecuted whites who attacked Indians, tried to keep the two races separate, and regulated intercourse with the Indians.104 As a result, he enjoyed a much more peaceful term than Lamar, at a much smaller expenditure for Indian affairs. Although a vocal minority of Texans still criticized his program, his success at restoring peace temporarily quieted the anti-Indian attitudes of the majority.105
During his long Senate career, Houston used that success as the foundation for his many speeches recommending changes in national Indian policy. Unfortunately for him, most of his suggestions came to nothing because the majority of Americans and of Senators still regarded the Indians not as people but as obstacles to expansion. The debate over the Kansas-Nebraska Act of 1854 served as a good example of the reaction of both Sam Houston and the Senate. The bill proposed to create territorial governments in the two areas, but Houston objected that existing treaties with the Indians of those areas prohibited the creation of any government. The Senate passed the bill anyway, and his objection had little impact on the final outcome, with the question of slavery in the territories dominating the debate.

Meanwhile, back in Texas, the 1850s saw a renewed effort by whites to move into Indian lands and turn them into farming and ranching country. The U.S. Army tried to keep peace in the area, but by and large they failed at that task. The Indian Bureau contributed to the problem by pursuing inconsistent policies, but the ceaseless demand for land caused most of the friction with the red men. By the late 1850s constant warfare had driven most of the Indians out of Texas into adjoining territories. From their new homes, the Indians raided into Texas, killing some whites, kidnapping others, and stealing thousands of
horses. When Houston became governor of Texas in 1859, he faced an impossible situation. As a governor rather than a president, he had far fewer powers to deal with the Indians. Without the power to sign treaties, he abandoned peaceful negotiation in favor of military force, using local militia and ranger companies to try to stop the marauding Indians. On several occasions he even authorized punitive expeditions against raiding tribes. His old principles had not completely died out, however, as he kept tight control over retaliatory ventures and often refused to act when he thought that whites had committed acts which the locals blamed on Indians.

Despite this late use of punitive measures, Houston's overall record on Indian policy showed a remarkable consistency. Although he normally found himself in the minority when he advocated justice for the Indians, he usually continued to pursue that policy vigorously. Only in brief periods during his two terms as president of Texas did his peace efforts enjoy widespread popularity with the electorate or with other elected officials.

Surprisingly, despite many years as a military man living on the frontier, he personally fought Indians on only one occasion: when the Creeks allied themselves with the British during the War of 1812.

His perseverance actually led him to disagree with his
fellow Jacksonians over this issue. Although he never publicly said so, his views even differed considerably from those of his hero, Andrew Jackson. Of course, Houston and Jackson did not hold completely opposite positions, but the gap between them was wide. For example, Jackson opposed signing further treaties with the Indians, advocated imposing U.S. and state laws on the tribes, and believed that the government should not guarantee Indian lands. Jackson did agree that the government should protect the Indians, even on occasion removing white squatters from Indian lands, but his idea of protection involved removing them so far west that no one would ever bother them.  

Basically, one idea separated Houston from the Jacksonians more than any other: Jackson and most of his followers did not regard Indians as inferior to whites, but they firmly rejected Houston’s notion that Indians were noble savages. Indeed, he did sometimes overdo his praise of Indian virtues and often failed to mention Indian faults. For instance, he rarely discussed the atrocities and brutality which some Indians committed against whites. Although his Senate speeches contained numerous tales of white atrocities, he never elaborated on the other side of that ugly story. He did admit that some Indians were bad, but he often gave the impression that the bad Indians consisted mainly of a few renegades. On some occasions he attempted to distinguish between wild, murderous tribes
and peaceful, civilized ones, and he definitely advocated fighting those Indians who continued to commit depredations, but his pro-Indian remarks far outweighed his negative comments.\textsuperscript{120}

Houston may have decided that he did not need to make very many anti-Indian statements because his audiences had already heard a sufficient quantity of them, but his lack of a balanced position frequently earned him the reputation of being too lenient towards Indians.\textsuperscript{121} Of course, his opponents always neglected to mention that Houston deliberately chose the white culture. Despite a number of excellent opportunities to remain with his Indian friends, he always returned to pursue the values and ambitions of white civilization.\textsuperscript{122} As a consistent supporter of the doctrine of Manifest Destiny, he even contributed in a small way to the demise of the Indian world.

Nevertheless, his opponents did have a point. Although he deliberately chose the white world, Houston's life showed a greater affection for some of the cultural values of the Indians than those of the whites.\textsuperscript{123} Despite his often stated support for the mainstays of frontier economic life, small farms and small stores, Houston maintained a lifelong aversion for his own participation in either farming or clerking.\textsuperscript{124} Although he eventually settled down to the life of a dedicated Christian, his early life demonstrated a much greater fondness for women and liquor than for Bibles.
and hymnals. In addition, until he married his last wife, Houston led a more nomadic life than most Indians. Even after that marriage, he changed his residence frequently and was away from home more often than he was there. One authority on Houston's life with the Indians claimed that his Indian name translates to the Rover, not the Raven. Whether that translation is true or not, it certainly was appropriate, since he never spent much time in one place at any time in his life.

Nevertheless, although he regarded Indians as his friends, at times he did have mixed feelings towards them. His best Indian friends were the Cherokees, and that tribe was not typical of the Indians of the United States. In fact, they were probably the most civilized of all the tribes, with organized government, widespread farming, permanent settlements, and even Negro slavery. Since these traits made the Cherokees similar to whites in some ways, Houston's great affection for them indicated only a partial approval for Indians in general. Indeed, Houston's position would be much clearer if he had used the word "Cherokee" instead of the word "Indian" in many of his speeches.

Houston also maintained an ambivalent attitude towards the equality of the Indians. On some occasions he referred to all Indians as children of the forest, honorable and noble, but primitive and occasionally savage, with a culture
inferior to that of the whites. He did not regard them as inferior in intellect, abilities, or morality, but he felt that their lack of progress made them vulnerable to the evils of white society. As a consequence, he thought that the government should protect the Indians by keeping them away from the whites. For example, he always tried to keep whites from supplying liquor to the Indians. On rare occasions Houston would candidly admit that some Indians might not be the paragons of virtue that he usually pictured. He once argued that whites should pursue peace because war and theft were the Indians' vocation and whites should proceed cautiously when dealing with such adversaries. In one such mood he even opposed the move of Creek Indians into Texas in 1835.

Such moods, however, occurred rarely for Sam Houston, as he more often ignored their faults. Houston's biggest blind spot involved the relationship between individual Indians and their tribes. Although he continually criticized individual whites who violated treaties made by their government, he also asserted that whites should understand Indians who did the same thing because the tribes had no way of making individuals obey the chief or the tribal council. When Houston considered the question of justice, he gave the Indians the same preferential treatment. Although he condemned whites who punished the first Indian they found rather than finding the guilty
party, when Indians did the same thing he always maintained that whites should understand that Indians just think that way and should forgive them for applying racial justice.\textsuperscript{136} In short, he allowed Indians to use tribal or racial justice as a cultural excuse for their behavior, but he denied that excuse to whites who behaved the same way.

Tragically, Houston's preference for his favorite children may have prevented him from taking a hard, realistic look at Indian policy. He understood both sides of the question better than virtually any other man of his day, so perhaps his realistic evaluation could have served the Indians better than his one-sided defense of their cause. In his day the United States had four possible courses of action towards the Indians: extermination, assimilation, reservations, or removal.\textsuperscript{137} Houston knew that extermination was impossible on both moral and practical grounds. Any attempt to annihilate the Indians would have led to widespread bloodshed for whites as well as Indians.\textsuperscript{138} Many Americans of that day did not see that point, although he occasionally succeeded in getting Texans to curb their warlike attitudes.

As for assimilation, Houston alternated between recommending its virtues and working for complete separation of the races. More often he tried to keep Indians and whites apart, as in his years as president of Texas, but at times he talked of how agriculture and Christianity could
change the Indian culture enough to fit them into American society. Since the Cherokees came closest to this goal in his day, Houston's usual support for separation seems curious. Perhaps he should have made more of the fact that both Texas and Georgia removed the Cherokees from their area after they had adopted much of the white culture. Strangely, he never even commented on the Trail of Tears, although lesser white atrocities stirred him to great rhetorical heights.

Houston sometimes supported the concept of reservations within the settled areas of the country, although he usually maintained that they were too small to work effectively. He earnestly tried to create such a reservation for the Texas Cherokees. He believed that the Indians needed large tracts of land in order to feel comfortable, so he never could admit that realistically whites would not set aside large areas of good farm land so that a few Indians could roam freely. Although he never said so explicitly, Houston seemed to think of the Indians as independent nations entitled to their own little countries. The tribes, however, were too weak and too nomadic to make such a system work. Houston's only success for his reservation idea came in the 1850s when a tribe of Alabama Indians settled peacefully in east Texas, and in that case the reservation required a very small amount of land.

As for the policy of removal, he continually opposed
removing Indians from their lands, but the U.S. government continued to pursue the policy until the late 1800s. By the time that the reservation system became generally accepted, most of the lands available to the Indians were of the poorest quality. That outcome reflected the general disregard for Indian rights among Americans of the 1800s, a disregard which Houston fought unsuccessfully. Although Houston probably could have done better on the question of Indian policy, he certainly should not receive very much of the blame for the fate of the Indians. The temper of the times would certainly have prevented the country from accepting even the best ideas for protecting the Indians and their culture.  

Although Houston did not support the Indians completely, he did make an extensive effort to protect them at a time when such efforts were far from popular. He certainly never resolved the conflicts between his support for both Manifest Destiny and Indian rights, nor did he resolve the contradictions involved in his affection for both white culture and Indian culture. Yet, despite his position as a major political figure from a frontier state, he managed to make important contributions in two apparently opposing fields. He helped to spread American civilization and liberal institutions across the continent, while at the same time keeping alive the idea of Indian rights in one of its darkest eras.

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Notes

1Amelia W. Williams and Eugene C. Barker, eds., The Writings of Sam Houston, 1813-1863, 8 vols. (Austin: University of Texas Press, 1938-43), 4:460 (Although most scholars refer to these documents by specifying the date and and the people involved with a letter or speech, this work emphasizes the idea content of Houston's writings, and thus regards such details as of little importance to the analysis. As a result, all references to the writings contain only volume number and page number.); Llerena B. Friend, Sam Houston: The Great Designer (Austin: University of Texas Press, 1954; reprint, 1969), 5.


5Williams and Barker, Writings, 1:544-7.


7Ibid., 1:184-5, 1:347-9.

8Ibid., 1:139, 3:451, 5:337, 5:399, 6:118, 6:133.

9Ibid., 2:515, 4:403-4; Weinberg, Manifest Destiny, 72-99.

10Williams and Barker, Writings, 6:510-2.


14Ibid., 1:35-6, 1:304, 1:429-30.


16Ibid., 1:449, 1:468, 3:32; Weinberg, Manifest
Destiny, 100-29.

17 Ibid., 3:224, 5:34.


19 Williams and Barker, Writings, Ibid., 5:34.

20 Ibid., 6:68.

21 Ibid., 5:351, 5:439.

22 Ibid., 2:132, 2:273, 3:89-90; James, Raven, 18-23.

23 Williams and Barker, Writings, 6:146.

24 Ibid., 4:403-4, 8:230.


27 Ibid., 4:403-4.


29 Williams and Barker, Writings, 1:338, 5:30.


31 Williams and Barker, Writings, 1:393-5, 2:147, 4:125-6, 7:395-6.

32 Ibid., 2:36-8.


34 Williams and Barker, Writings, 4:241, 6:510-2.


39 Williams and Barker, *Writings*, 5:34.


42 See chapter 3 for a discussion of this point.


49 Ibid., 5:34-6.


54 Ibid., 7:495-6, 7:520-1, 7:526.
55 Ibid., 7:525-6, 7:534-5, 7:538-40.
56 James, Raven, 89-116, 148-61.
57 Williams and Barker, Writings, 1:155-85, 2:12-5.
60 Ibid., 3:479, 5:486-7, 6:496-7; James, Raven, 18-24, 77-92.
61 Donald Braider, Solitary Star, A Biography of Sam Houston (New York: G. P. Putnam’s Sons, 1974), 24; James, Raven, 21.
64 Ibid., 1:185-6.
66 Williams and Barker, Writings, 4:161, 5:439-40, 6:144-5, 6:159.
68 Ibid., 5:34.
69 Ibid., 2:344, 4:60.
70 Ibid., 1:155-85, 6:480.
71 Ibid., 5:428-32, 6:152.
72 Ibid., 3:175-7, 4:59.
73 Ibid., 3:175-7, 6:112-3, 6:121-3, 6:135-6, 6:412.
74 Ibid., 2:335.
80 Ibid., 2:158-9.
82 Ibid., 3:175-7, 6:112-3.
83 Ibid., 5:397-401.
85 Williams and Barker, Writings, 5:397-401, 6:116.
88 Ibid., 3:55.
89 Ibid., 5:238-52; James, Raven, 40-1.
90 Williams and Barker, Writings, 5:238-52; James, Raven, 40-3.
91 Williams and Barker, Writings, 5:238-52; James, Raven, 92-6; Gregory and Strickland, Cherokees, 17-20.
92 James, Raven, 89-116, 148-61; Gregory and Strickland, Cherokees, 55-69, 96-109.
93 Williams and Barker, Writings, 1:155-85, 2:12-5.
94 Williams and Barker, Writings, 1:356-60; Muckleroy,


96 Williams and Barker, Writings, 1:479-80; Muckleroy, "Indian Policy," 26:1-29.

97 Williams and Barker, Writings, 2:317-20, 2:323-48, 3:451-2; Muckleroy, "Indian Policy," 26:19, 26:128-34.


99 Williams and Barker, Writings, 4:162-3; Muckleroy, "Indian Policy," 26:140-4.

100 Williams and Barker, Writings, 3:215, 3:460; Muckleroy, "Indian Policy," 26:144-8.

101 Muckleroy, "Indian Policy," 26:148.


103 Williams and Barker, Writings, 3:175-7, 3:184-5; Muckleroy, "Indian Policy," 26:188-96.


105 Williams and Barker, Writings, 3:446, 4:394-5, 4:402, 6:119; Muckleroy, "Indian Policy," 26:204-5.

106 Williams and Barker, Writings, 5:341-4, 5:349-54, 5:397-401, 5:469-88, and many others.

107 Williams and Barker, Writings, 6:111; Billington, Westward Expansion, 466-76.


109 Williams and Barker, Writings, 5:166-7, 8:13-21, 8:204-5; Webb, Texas Rangers, 197-8.

110 Williams and Barker, Writings, 7:519-23, 8:13-21; Webb, Texas Rangers, 199-203.

112 Williams and Barker, Writings, 7:486, 7:530-2, 8:10, 8:21-2, 8:38-9, 8:48-9, 8:62-3, 8:78, 8:116, 8:132-3, 8:162.

113 Williams and Barker, Writings, 1:146, 6:111, 6:148, 7:405; Wisehart, American Giant, 344-54; Muckleroy, "Indian Policy," 26:8-29, 26:184-205.

114 James, Raven, 27-34.


116 Ibid., 531.


120 Williams and Barker, Writings, 2:115, 2:124, 4:62.

121 Muckleroy, "Indian Policy," 26:128-35.

122 James, Raven, 24-7, 172-3; Gregory and Strickland, Cherokees, 156.

123 James, Raven, 18-23.

124 James, Raven, 18-9, 25.

125 James, Raven, 19-20, 39-40, 48, 55-6, 71-2, 110, 157-61; see chapter 3 for further details.

126 James, Raven, 3-195. His early life carried him to the current or future states of Virginia, Tennessee, Alabama, Louisiana, New York, Arkansas, Oklahoma, and Texas.

127 Friend, Great Designer, 99, 104, 110, 179, 184, 224, 328, 351.

128 Gregory and Strickland, Cherokees, 8.

129 Williams and Barker, Writings, 5:486-7, 5:519,
Ibid., 2:347, 5:475, 6:2, 6:411, 6:481.

131 Ibid., 5:486-7, 5:520, 6:146.


133 Ibid., 2:402.

134 Ibid., 1:299-302.


137 Prucha, "Reassessment," 534-6.


143 Ibid., 5:157.


145 Prucha, "Reassessment," 536-9; Tindall, America, 423-7, 761-7.
CHAPTER 6

LAND POLICY AND BOUNDARY DISPUTES

Throughout the nineteenth century, the United States had to deal with the dual question of land ownership and political jurisdiction. In short, it tried to answer two questions: who should own land, and who should make the laws governing an area? In these intertwined subjects of land policy and boundary disputes, Sam Houston attempted to tread a fine line between extreme positions. Although on both questions these positions seemed irreconcilable, Houston followed a middle course, sometimes advocating one particular view, but often trying to balance opposing views in a way which he believed would best serve the interests of all.

In the nineteenth century, three well-known theories on land ownership competed for acceptance. Some European governments and most American Indians held the first of the theories: the statist, or tribal view, which argues that land belongs to the group as a whole, not to one individual, nor to a few individuals acting together. For modern states using this theory, the government acts as the representative of the citizens of a country, while for Indian tribes using it, the tribal council represents the members of the tribe. In either case, individuals can use land, but they cannot
own it; ownership rests with the group, and the government or the council can take land away from one person and give it to another if such a change would benefit the group as a whole.¹

A few European political theorists, and a large number of American citizens held the second view on land ownership: the individualist, or Lockian, theory, which maintains that land belongs only to those individuals who use it for productive ventures. John Locke first proposed this theory, and it attained popularity in the United States at the same time as his political ideas. The theory implies that unused land belongs to no one, and only by using land can one individual, or a few individuals acting together, acquire ownership. Thus, no government or council can determine who should own land, because only the individual who uses it has that right.²

Many governments, and probably the majority of American citizens, took the third approach to land ownership: the mixed, or grant, theory, which asserts that in theory the government owns all land, but in practice it should determine a reasonable way to grant title to much of that land to individuals. When a different use for a given piece of land would benefit the general public more, the government may revoke the title to that land, but only after granting fair compensation to the individuals involved. In the United States, the use of the mixed theory has meant
that land policy serves the dual purposes of providing land to settlers and benefiting the public as a whole.³

Although twentieth-century American governments have turned increasingly toward the second objective, eighteenth- and nineteenth-century administrations usually leaned toward the first.⁴ Between 1820 and 1860, a large majority of public officials tried to serve the incessant demands of their constituents for more land.⁵ As with some other issues, Houston resisted this popular trend and leaned toward using land policy for the benefit of general public interest. Even though he never specifically discussed land ownership theories, his remarks over the years indicate clearly his rejection of both of the extremes.

To begin with, Houston did not accept the individualist theory, but instead regarded the land within a country as the public domain, a domain which some people transgressed upon without the government's permission. At one time, he even criticized California citizens because they had taken the liberty of going on public land and digging for gold.⁶ On the other hand, he did not accept the statist view either. During the years of the Texas Republic, he maintained that the government could not do what it wished with the land. Even though the Republic had conquered Texas, it must respect the property of all individuals and communities, including the Cherokees.⁷

For Houston, title to land begins with the government's
ability to acquire and hold it, but the sword is not enough
to establish ownership. Prior land grants and long-standing
occupancy also should enter into determining rightful
ownership. At one point, these reservations about the
absolute power of government in land questions led to some
misgivings about the practice of eminent domain. As a
result, he vetoed a bill giving military commanders the
power to condemn the land of individuals, arguing that
expensive litigation or excessive compensation would likely
result from such actions.

Houston's ambivalent attitude on this subject derived
from a number of different sources. On a personal level, he
loved land and believed that people could not escape that
love. During his years in Texas, he owned several homes
and numerous parcels of real property, including two
headrights which he obtained soon after his arrival in
Texas. He certainly regarded those land holdings as his
own private property, even going so far as to sue a man who
cut timber on his land. A few times in his life, he also
engaged in land speculation, and just before leaving for
Texas in 1832, he negotiated with speculators to become
their agent for large Texas land deals, but the deal failed
to materialize.

Despite his own occasional ventures into land
speculation, in general Houston intensely disliked land
speculators. He frequently made disparaging remarks about
them and did what he could to make their activities more difficult. In 1854, he argued that the United States should try to keep speculators out of land sales on the frontier.\textsuperscript{14} As governor of Texas, he maintained that good policy might include giving land to actual settlers, but never to speculators and schemers.\textsuperscript{15} In addition, when selling land on credit, the government might allow homesteaders extra time to make their payments, but should always require speculators to pay on time or lose the land plus what they had already paid.\textsuperscript{16} On a number of occasions, he also opposed issuing government certificates which entitled the bearers to claim land. Whether supporters called them land certificates, land warrants, or land scrip, he argued that speculators would misuse them, and thus bring the average man more harm than benefit.\textsuperscript{17}

In addition to land speculators, Houston hated all varieties of land-grabbers, whether they tried to use the law or abuse it. In 1859, he closed his Senate career by attacking federal judge John Watrous for participating in a conspiracy to use fraud and his judicial position to try to steal millions of Texas acres.\textsuperscript{18} Throughout his political career, he condemned those individuals who ignored treaties with the Indians by encroaching on lands guaranteed to the various tribes.\textsuperscript{19} To a certain extent, he accepted the Indian contention that lands which many whites called vacant actually belonged to the red men.\textsuperscript{20} While many whites
claimed that only direct use of land in such activities as building a home, creating a farm, or opening a mine established ownership, Houston often sided with those Indians who asserted that indirect use for hunting, or simply control of the area by the tribe, established their title. As a result, he believed that any attempt to give public lands away deprived Indians of their lands.

Because of his disapproval of land-grabbers, Houston often maintained that the government should not encourage squatters: those people who simply moved onto unoccupied land, built a home, cleared the land, began farming, and then claimed the land as theirs by right. For instance, while president of Texas in 1837, he warned that making improvements on unoccupied land and living on it for a period of time would not give priority right to it. Nevertheless, his sympathy for those who loved land caused him to make exceptions for some squatters. In 1860, as governor of Texas, he argued that the state should allow preemption settlers, i.e., squatters, to keep land if they had already occupied it for a certain amount of time. As governor of Tennessee, he also displayed sympathy for squatters when he proposed that those who settled land and improved it should not have to pay a high price to purchase it from the government.

A classic illustration of Houston’s attitude on this issue involved the lands of the Texas Cherokees. During his
first term as president of the Republic, he tried to get Congress to guarantee their lands in east Texas by ratifying a generous treaty with the tribe. Congress refused, and it also resisted his efforts to protect those lands from encroaching whites. The next president of Texas, Mirabeau B. Lamar, made war on the tribe and drove them off their lands and out of Texas. Houston condemned everyone involved in the war, claiming that whites who wanted the Cherokee lands had precipitated the conflict.

In order to keep those people from benefiting from the departure of the Cherokees, as a member of the Texas Congress Houston later suggested that Texas should declare the lands as having rightfully belonged to the Indians. Since the Cherokees had by then abandoned those lands, he wanted Texas to reclaim them by right of conquest, with no squatters allowed to obtain title to their ill-gotten gains. Congress agreed to this unusual suggestion, but then failed to provide laws for surveying and selling the land. Since the government did not sell the land, within a few years, squatters occupied it. Therefore, during his second presidency, Houston abandoned his original position and informed Congress that, in order to avoid further problems, the only reasonable solution was to grant the squatters title to the lands.

The Cherokee land question symbolized Houston's reluctance to give land away. Although he often found
himself cooperating with programs to provide cheap land to settlers, he continually recommended against such practices.\textsuperscript{32} Over the years, he repeated the same theme, with just minor variations: do not give land away, stop giving land away to those who occupy it, and in any case do not give away land carelessly.\textsuperscript{33} Although his affection for Indians and dislike of speculators played a part in his aversion to giving land away, he actually had a much bigger reason for this policy. All that land could and should serve a wide range of other goals, with the government attempting to benefit all, instead of just farmers, planters, and ranchers.

As a consequence, Houston favored a complicated land policy, which became involved in much wider issues. His first objective consisted of a dedication to the belief that Texans should have clear land titles, relatively free of endless conflict and expensive litigation.\textsuperscript{34} He believed that Mexico's failure to grant Texans secure land titles had helped to start the revolution against Mexico, and he wanted the Republic to avoid the same mistake.\textsuperscript{35} During his first term as president, he urged the Texas Congress to write a land bill which would provide a clear and precise system to determine valid titles.\textsuperscript{36} Such a system, he argued, should establish which old titles were valid, and it should seek to prevent fraud in the creation of new titles by providing for slow and careful filing procedures.\textsuperscript{37}
When Congress passed a bill which failed to meet his criteria, he vetoed it, and Congress promptly overrode his veto. For the rest of that term and all of his second, he engaged in a running battle with Congress over the issue. Congress insisted on a system to provide quick filing for title so that people could have easy access to the land, while Houston obstructed the system as much as possible in an effort to force Congress to change its policies. For years afterward, he pointed to the lack of precise laws in the Texas land system, a situation which produced continual litigation over titles. As late as 1859, when he began his term as governor, he again asked the legislature to correct some of the continuing problems.

Houston's second objective involved using land for public finance. He advocated the sale of the public domain in order to raise money for various government projects, with public schools constituting his favorite and most frequently mentioned example. As a fervent supporter of free public schools, he believed that public lands would provide the best way of paying for them. Although the Texas Congress accepted Houston's idea, it had a more ambitious scheme to use the public domain to raise revenue. They authorized the sale of land scrip to the public. The scrip entitled the bearer to select land from the public domain, but it sold for very low rates, never more than fifty cents an acre. Houston had a series of problems with
the agents who sold it. As a result, after a brief period of going along with the program, he quickly grew disenchanted with the idea. Eventually, he vetoed as impractical a bill which would have expanded the scheme.

In addition to raising money, Houston initially thought that Texas could use land to help in solving its currency problems. Since the new country had little gold and silver and virtually no banks, the government provided paper currency to fill the specie gap. On a number of occasions, Houston asked Congress to give that paper currency some intrinsic value by pledging the public domain to support it, but Congress never agreed to that request.

During Houston’s second term as president, he had a much worse currency problem to deal with. Lamar had issued so much paper currency during his term that it had depreciated to a very low level. In order to restore the government to solvency, the Texas Congress and Houston issued a small amount of a new currency, declared that the government regarded the old currency as part of the public debt, and pledged to eventually redeem it. To secure that debt, the government pledged the revenue from public lands, and Houston dedicated himself to the project of seeing that those lands remained available to cover the debt. Whenever Congress passed new bills giving land to immigrants, Houston vetoed them, with pointed references to the debt.
Frontier defense provided Houston with yet a third objective for land policy. At times, he tried to slow down the advance of the frontier so that he could keep Indian problems to a minimum. In 1842, he even suggested the creation of a specific frontier line, with whites restricted to one side and Indians to the other, but neither group showed much enthusiasm for the idea. Although he usually tried to protect the Indians, Houston sometimes had ideas which worked against them. During the Texas Revolution and a few other military emergencies, he favored the offering of land bounties to those who would volunteer to serve in the Texas Army. Indeed, he sent agents to the United States to recruit soldiers with such offers. When the frontier was not under immediate threat, he tried to promote the strength of the frontier by offering bounty lands to those who would occupy unsold frontier land, on the theory that those who settled on the frontier would also defend it. For example, during the early years of the Republic, he vigorously promoted a number of efforts at creating large colonies in west Texas.

For his fourth objective, Houston turned to the humanitarian goal of helping the poor through the use of public lands. While governor of Tennessee, he advocated the position that the government should see that each person has a permanent home and residence, with the frontier as the natural place for people to find those homes. During his
Senate career, he returned to that notion, suggesting the passage of a homestead act which would provide free land to needy people who would occupy it and improve it over a three-year period.56

As for his fifth and final objective, Houston maintained that land policy should promote the development of the economy. As governor of Tennessee he advocated using the revenue from land sales to pay for internal improvements such as bridges and roads, so that the people of the state could get their products to market.57 As governor of Texas, he expanded on the idea by supporting a program which gave land to railroads as a reward for building track within the state.58

With all these objectives resting solidly on the bounty of the public lands, little wonder should exist that Houston resisted giving land to all comers at no charge. With so much for the government to achieve by using the public domain in the public interest, little surprise should occur that he did not always sympathize with those individuals who wanted to move onto the frontier and claim the land as theirs by right. The surprise is that Houston sometimes pursued a liberal land policy. In fact, virtually his last statement on the matter called for just such a policy towards actual settlers on the public domain.59 An 1854 Senate speech probably best summarized that policy: although the government should not try to encourage citizens
to move to the frontier, it should allow them to move there in their own good time, and then give them the land and protect them.\textsuperscript{60}

For all his talk about the great things that public lands could accomplish, Houston usually maintained an unwillingness to abandon the desires of individual frontiersmen to the needs of public interest. Although he expended much time and effort on promoting the nation as a whole, he never neglected his democratic concern for the common man. Since many of the common men of his day wanted their own piece of land, he certainly could not continually stand in the way of their desires, and he did not do so.\textsuperscript{61}

On the closely related issue of political jurisdiction, or boundary disputes, Houston had to worry less about disappointing the desires of his constituents, although on this matter as well he did occasionally give them less than they wanted. While his position on land policy turned on the needs of all the people versus the desires of the individual, his view on boundary questions depended on trying to obtain for his side all that he realistically could in a conflict between two opposing states, or groups of people. As with the question of land policy, he tried to steer a course between the extreme views of the nineteenth century.

The boundary questions which Houston had to face derived from the issue of American expansion. One school of
thought argued against further expansion, maintaining that any more growth would fatally disrupt the United States. The other side wanted continued expansion, believing that further growth would benefit both the country and the new territory. Both sides used complex arguments involving moral and political principles, combined with factual and historical principles. Houston was definitely opposed to the no-growth position, but he was not an extreme expansionist. Although by the standards of the late twentieth century he assumes the mantle of Manifest Destiny, he actually spent just as much time trying to control unrealistic expansionists as he did working to speed the growth of the country. As support for the arguments which he used in boundary disputes, he used moral and political principles, but he considered them of secondary importance to factual and historical considerations in trying to do the best for the people that he represented.

During his years in politics, he became involved in a number of minor disputes over the location of the boundary between two countries or two states. In all such cases, he allowed the normal processes of diplomacy and arbitration to settle the matter, believing that peace and cooperation between neighbors overshadowed any small gains that an aggressive attitude might bring. He followed this reasoning in all four minor disputes which arose during his tenures as chief executive: in 1827, Tennessee versus
Kentucky over a section of their border; in 1836, Texas versus the United States over the location of the mouth of the Sabine River; in 1858, Texas versus New Mexico over a section of their border; and in 1860, Texas versus the United States over the location of the main fork of the Red River. He simply did not seem to consider the minor disputes worth arguing about.

In the two major disputes in which he participated, Houston behaved much more aggressively. Although in both cases he still remained committed to resolution of the boundaries by negotiation, he did not hesitate to hint that the situations might lead to war if the opposing parties did not negotiate a reasonable settlement. The first case arose in 1846: the Oregon Country dispute between the United States and England. While serving in the U.S. Senate, Houston recommended to the president that the country apply strong diplomatic pressure on England in order to obtain a large part of the area under dispute. He argued that the U.S. needed such a settlement in order to protect its citizens, who were beginning to move into the area. Although he had little to do with the final outcome, and the U.S. obtained less territory than he thought it should, the matter proceeded much as he had recommended.

In the other case, however, Houston played a major role from beginning to end. First as president of Texas, and later as U.S. Senator from Texas, he helped to answer the
question: what were, or what ought to have been, the southern and eastern boundaries of the nation of Texas and the state of Texas? Texas, and Houston, claimed that the Rio Grande was both her southern and western boundary, thus asserting that much of eastern New Mexico, including Santa Fe, lay within Texas, plus the area between the Neuces and the Rio Grande in what is now south Texas. Many people in Mexico, New Mexico, and the United States, maintained that Texas was much smaller. 68

On both sides, the battle involved both moral arguments (where ought the border to be?) and factual arguments (where is the border?). One aspect of the moral argument turned on the question of what the inhabitants of the disputed areas wanted. The proponents of a smaller Texas argued that the inhabitants of eastern New Mexico preferred the government of New Mexico, while those in south Texas preferred Mexico. 69 Since this question implied that the people of an area possessed a democratic right to choose their government, Houston had a difficult time with this issue. As a fervent believer in democracy, either he had to deny that it applied in this case, or he had to deny that the inhabitants actually preferred other governments to Texas.

Between the years of 1836 and 1850, Houston actually advocated both alternatives at one time or another. Speaking of the people of south Texas, Houston maintained that they preferred the Texas government over that of
Mexico, and he pointed to the fact that one of the towns below the Neuces had representation in the Texas revolutionary government until the Mexicans drove all residents out of the area.\textsuperscript{70} In addition, he argued that since Mexico regarded anyone found north of the Rio Grande as an enemy, by implication those people supported Texas.\textsuperscript{71} Since the area contained very few residents during those years of war, south Texas could hardly have had a democratic voice in the matter.\textsuperscript{72} Nevertheless, when the Somervell expedition, which Houston himself sent, treated Laredo as an enemy town, Houston's claim to the support of south Texas appeared somewhat doubtful, even though he disapproved of the expedition's conduct.\textsuperscript{73}

Eastern New Mexico proved a much more difficult matter for Houston. At times, he asserted that the people of the region included Indians and ignorant, half-civilized Mexicans, who by implication had no voice in the matter.\textsuperscript{74} More often, he maintained that the U.S. government had prevented the people from speaking, and that they actually preferred Texas.\textsuperscript{75} According to Houston, President Zachary Taylor did not like Texans and had ordered the U.S. military to keep Texas officials out of New Mexico.\textsuperscript{76} He further asserted that U.S. Army officers were leading the New Mexico resistance to Texas, and thus the elected officials in the area represented Taylor and the U.S. Army, rather than the people of the area.\textsuperscript{77}
The other major moral argument involved the question of slavery. Some northern politicians wanted a smaller Texas because Texas had legalized slavery, and they did not want slavery to have any more room to expand. As a southern politician who accepted and defended the practice of slavery, Houston simply ignored this argument as irrelevant to this issue. He believed that the people in a sovereign state had the right to decide this issue for themselves, so he always rejected any efforts at having the decision on slavery made by outside forces, especially the U.S. Congress. Nevertheless, he spent little time on the question during the Texas boundary dispute.

Indeed, Houston's whole general attitude toward the Texas boundary question tended to ignore the moral arguments in favor of the factual ones. Despite his highly moral stance on other questions, he seemed to believe that issues involving land should turn on questions of precedent rather than ones of right and wrong. If a man could prove that he had a valid land grant from a previous government, he believed that Texas must accept the title as established. If a government could show that it had made a claim to territory, and other governments had accepted that claim, then those facts should settle the matter. When the opponents of a large Texas argued that Texas had historically been quite small, Houston countered with his view of how Texas had established its claims. He firmly
believed that Texas had asserted her claim to the Rio Grande boundary, that it had succeeded in defending itself against the attacks of Mexico, that the major powers of the time had accepted that claim by not contesting it, and that Texas had thus established her claim.\textsuperscript{83}

When Texas won her independence at San Jacinto, Houston personally recommended that the Texas Congress declare the Rio Grande as the border, and Congress complied.\textsuperscript{84} Over the years, he stuck to that boundary, defending it against those who disagreed, even vetoing bills which attempted to annex more territory.\textsuperscript{85} For him, the matter turned on the question of jurisdiction. If Texas claimed and occupied the land, than it had established jurisdiction. He rejected unrealistic claims over which Texas could not establish jurisdiction, but he pushed realistic ones as far as he could, and perhaps a little further.\textsuperscript{86}

In discussing south Texas, Houston maintained that the government had established de facto jurisdiction as a result of the events of 1836. Mexican armies had retreated past the Rio Grande, and they had since regarded all areas north and east of it as enemy territory. Texas had kept some troops and rangers between the Neches and the Rio Grande, while Mexico had sent troops in only to raid, burning and looting as soon as they crossed the river.\textsuperscript{87} In discussing eastern New Mexico, Houston had much less to say. While admitting that Texas had never exercised jurisdiction over
the area, he argued that the Rio Grande claim should give Texas some rights in the area. Although the Santa Fe expedition had failed completely in its attempt at establishing jurisdiction, he seemed to believe that the expedition had actually reinforced the Texas claim.

Not surprisingly, the U.S. Congress decided against Houston and Texas in the claims for eastern New Mexico. Although Houston had insisted that Texas wanted her boundary, not money, he expressed great happiness when Texas received over twelve million dollars for giving up her claim to the territory. Although the state government in Texas initially reacted negatively to the deal, it quickly changed its attitude and accepted the money, which allowed it to pay all of its outstanding debts. Over the years, Houston grew more and more enthusiastic in his praise for this deal, at one point even hinting that Texas had sold what it had little right to for a huge sum of money. Whether he really regarded the matter that cynically is far from clear, especially since an opposition reporter made the only record of that speech. Nevertheless, on the issue of boundary disputes, he behaved far more like a practical politician than he did at virtually any other time.

On both land policy and boundary disputes, Houston displayed few firm convictions, choosing instead to advocate positions which lay in the middle between the popular theories of his day. As a strong individual in his own
right, he could not completely neglect the desires of land-hungry American individualists. As a friend to many tribes of American Indians, he understood well the idea that the land should serve all. As a firm believer in democracy, perhaps he decided that the majority of American voters should have the final say as to how to use the land. For whatever reason, on any issue involving land, Houston usually held that the interests of the country as a whole took precedence over the supposed moral or political rights of any individual or group of individuals.
Notes


6 Amelia W. Williams and Eugene C. Barker, eds., The Writings of Sam Houston, 1813-1863, 8 vols. (Austin: University of Texas Press, 1938-43), 5:475, 7:223. Although most scholars refer to these documents by specifying the date and the people involved with a letter or speech, this work emphasizes the idea content of Houston's writings, and thus regards such details as of little importance to the analysis. As a result, all references to the writings contains only volume number and page number.

7 Ibid., 2:342.

8 Ibid., 2:345, 2:523.

9 Ibid., 2:468-9.

151
Ibid., 5:34.


12 Williams and Barker, Writings, 6:16-8.

13 Jack Gregory and Rennard Strickland, Sam Houston with the Cherokees, 1829-1833 (Austin: University of Texas Press, 1967), 126-9; Williams and Barker, Writings, 1:205-42.

14 Ibid., 6:68.

15 Ibid., 7:417.

16 Ibid., 7:402.


18 Ibid., 7:236, 7:240, 7:270, 7:294, 7:295; Walter Prescott Webb, editor-in-chief, The Handbook of Texas, 2 vols. (Austin: Texas State Historical Association, 1952), s.v. "Watrous, John Charles," 2:869-70. John C. Watrous held the position of U.S. district judge for part of Texas from 1846 to 1869. During his years in office, many Texans accused him of using his position in attempts to obtain title to much Texas land by fraudulent means, including cooperating with land speculators in a number of questionable schemes, using his position to influence the outcome of cases involving his own land claims, dealing in fraudulent land certificates, and altering court records in order to prevent higher courts from overturning his decisions on appeal. Although many people, including the state legislature, wanted him removed from office, all attempts to impeach him in the U.S. House failed.

19 Williams and Barker, Writings, 2:335, 2:344-5.

20 Ibid., 2:319, 2:324, 4:60, 5:34, 5:484.


22 Williams and Barker, Writings, 6:68.

23 Ibid., 2:62-3.

24 Ibid., 7:401.
The land title situation also contributed to the start of the Regulator-Moderator feud in the early 1840s.
49 Ibid., 2:456-7.
50 Ibid., 6:68.
52 Williams and Barker, Writings, 1:302, 1:304.
53 Ibid., 5:113-7, 5:253-5.
55 Williams and Barker, Writings, 1:118.
57 Ibid., 1:118.
59 Ibid., 7:363.
60 Ibid., 6:68.
63 Williams and Barker, Writings, 2:464, 7:496, 7:520-1; Friend, Great Designer, 63, 67, 78-9.
64 Williams and Barker, Writings, 1:120, 5:419-20, 7:132, 7:525-6, 7:534-5, 7:539-40.
66 Ibid., 4:455-7, 4:469.
68 William Campbell Binkley, The Expansionist Movement
in Texas, 1836-1850 (Berkeley: University of California Press, 1925), 1-152.

69 Binkley, Expansionist Movement, 153-94.

70 Houston was referring to San Patricio, which apparently existed on both sides of the Nueces River, although most of it was on the left, or northeast bank. Williams and Barker, Writings, 5:50-1, 5:213-4; Mike Kingston, ed. Texas Almanac, 1988-89 (Austin: Texas Monthly Press, 1987), 226, 238.

71 Williams and Barker, Writings, 5:128-9.

72 Ibid., 5:213.

73 Ibid., 6:78-9, 6:93-4.

74 Ibid., 5:50-1, 5:159-60.


78 Binkley, Expansionist Movement, 198-203.

79 Williams and Barker, Writings, 6:168-76.


81 Ibid., 2:342.

82 Ibid., 5:180.


84 Ibid., 1:425, 7:186.


86 Ibid., 2:462-5.


89 Ibid., 8:102.

90 Ibid., 5:204-6, 5:313, 7:181; Webb, Handbook of Texas, s.v. "Debt of the Republic of Texas," by E. T.
Miller, 1:477-9. The U.S. Congress awarded Texas ten million dollars in the Compromise of 1850, giving the state five million in cash and holding the other five until Texas satisfied its creditors. Texas paid some of its creditors out of the first five million, but most waited for a final settlement by the United States. In 1855, Congress added another $2,750,000 to the five million reserve fund and paid the rest of the creditors. Thus, Texas and its creditors received a total of $12,750,000 from the federal government.


93 Ibid., 6:185.
CHAPTER 7

CONSTITUTIONAL GOVERNMENT AND EXECUTIVE POWERS

In his long political career, Sam Houston became involved in many struggles over two important questions. What powers should the government as a whole exercise, and what portion of those powers should each of the separate branches perform? As a strict constructionist, he found the first question simple, although many disagreed with him. The government should exercise only those powers that the constitution specifically grants to it. As a believer in the theory of checks and balances, he had a ready answer for the second question as well, although that answer was not quite so simple. Each of the three branches of government should have the powers necessary to keep the other two from infringing on its proper sphere of action. Since he lived in an era which preferred that legislatures dominate the government, he encountered an endless series of difficulties when he attempted to raise the executive branch to a position of equality with the legislative branch.

Houston believed firmly that submission to the laws is necessary for a country to survive. On the other hand, he also maintained that the law must be a just law, in order for people to be willing to submit to it. Without just law, tyranny or anarchy, or perhaps both, will appear, and
the government must do all that it can to avoid such developments. In his view, the necessary ingredient to establish a stable government is constitutional liberty. The government must create a written document which sets forth the fundamental principles on which it will operate and the basic structure under which it will function. To draft the document, he argued, the government should call a special convention, and it should submit the result to the people for ratification. In the finished document, he maintained that both the basic principles and the governmental structure must work to protect the fundamental liberties of the people.

According to Houston, if the government meets these conditions, the people should obey its orders. If it fails to meet them, the people should replace the government with one that will fulfill them. Since he saw such a constitution as both the instrument and the guarantor of liberty, he held that both the people and governmental officials must not violate either the spirit or the letter of its provisions. Houston carried this principle to great lengths. Specifically rejecting vigilante law, he argued that only legally constituted authorities should punish people who violate the law. He insisted that people must stand by a government which protects their rights, maintaining that plotting the destruction of a government which is functioning properly is treason. He even warned
that officers of the government must avoid undermining the liberty or justice of such a system, explicitly criticizing those who would divert the course of justice by negotiating with those who break the law. ¹¹

For Houston, one of the main reasons for a constitution was to prevent the government from growing too large. Like Jefferson, he believed that those who treasured liberty must be ever vigilant, because a government could get out of control so very easily. The process would occur gradually, he thought, with the government imposing on liberties and granting favors in small increments over a long period of time, until a large group of people became dependent on the government. ¹² According to Houston, France had followed that process until the people no longer desired liberty. Indeed, he maintained that Bonaparte said that he had not seized the thrones of Europe, but rather the people of Europe had thrown themselves under his feet. ¹³ For Houston, the great enemy was centralism. He fought that enemy when Santa Anna tried to take control of all of Mexico, including Texas, and he feared that under the U.S. system the federal government would grow until it constituted a grave threat to the states and the people. ¹⁴

In order to prevent such a disaster, Houston wanted to limit the power of the federal government. He was a strict constructionist, believing that the national government could exercise only those powers which the Constitution
specifically delegated to it, with the people and the states keeping the right to exercise all other powers.\textsuperscript{15} He repeated that principle many times, in many ways. He insisted that a power which is not in the Constitution is reserved to the people and that the assumption of such a power is an encroachment upon the rights of the citizens.\textsuperscript{16} Where a government violates the constitution, he maintained, liberty cannot exist.\textsuperscript{17}

Houston realized that many people disagreed with him, because he referred to himself as an old fogy for wanting to stick to the principles under which the Constitution went into operation, but he stuck with that principle through virtually all of his political career.\textsuperscript{18} He even specifically rejected the opposite idea, saying that Congress may not exercise all powers not expressly prohibited to them by the Constitution, because such an idea would give Congress too much power.\textsuperscript{19} In short, Congress may not go beyond the letter of the constitution in its powers.\textsuperscript{20} Although he usually talked about Congress in this context, he also maintained that everyone is subject to the laws and the constitution, including the president.\textsuperscript{21}

Houston was quite adamant about enforcing this idea, and the issues to which he thought the concept applied were many and varied. While president of Texas, he entered into many feuds with the Congress over whether their actions were constitutional. He promised to veto any law which assumed a
power not specifically granted in the Constitution, and he fulfilled that promise repeatedly during his two terms. As a U.S. Senator, he promised to vote against an entire bill if it contained one unconstitutional line. After John Quincy Adams won the presidency from Andrew Jackson in the election of 1824, despite trailing Jackson in the number of popular and electoral votes, Houston wanted to alter the Constitution to prevent a repeat of such an undemocratic occurrence. He rejected any law that referred to past acts, maintaining that all such acts were retroactive or ex post facto, and thus unconstitutional.

Houston seemed to invoke the Constitution on almost every issue. He refused to send the Texas militia into foreign service on the grounds that the Texas Constitution did not expressly grant such a power, so it must be unconstitutional. Once officeholders’ terms had expired legally or constitutionally, he refused to allow them to continue in office. When President Zachary Taylor refused to let Texas officials take control in New Mexico in 1849 and 1850, Houston attacked the president for violating the constitution by intervening with a sovereign state’s exercising of its just rights. When southerners organized the Nashville Convention in 1850 to protest antislavery developments in the North, he argued that the convention violated the constitutional prohibition against compacts between states without the consent of Congress. He even
defended the constitutional rights of those with whom he disagreed. In the 1850s, ministers flooded Congress with antislavery petitions, and he argued that people have a constitutional right to petition, even when their petitions violated the interests of the South.  

To those who argued that the government should make exceptions in emergency situations such as war, Houston replied that the Constitution should regulate emergencies, not emergencies regulate the Constitution. He was not, however, quite as strict as that statement made him appear, since he actually believed that the government should act in accordance with the law unless the reason is great and manifest. He made a few concessions in time of war, during both the Texas Revolution and the Mexican War, but he made far fewer than most others would have allowed or than the military wanted. During fifty years of politics, his only noteworthy exception on the issue of constitutionality was his view on acquiring new territory. He admitted that the Constitution did not sanction territorial acquisition, but he argued that the salvation of the country required it. Although he believed that the acquisitions of the Louisiana Purchase, Florida, and Texas were not constitutional, he thought that the country should accept them because they were compromise measures which preserved the Union and stood the test of time.  

More typical was Houston's attitude on the questions of
slavery and secession. He believed that strict adherence to the Constitution could solve both matters. He argued that under the Constitution Congress had no power to touch the slavery question, either in the states or in the territories. As long as a territory did not contain enough people to justify statehood, the national government retained sovereignty there, and the Constitution required it to protect the rights of southern citizens in that territory. As soon as the territory contained enough people, it attained sovereignty and statehood, and it could decide the issue for itself.

In contrast to that southern attitude on slavery, Houston maintained that the southern states had no right to secede as long as the federal government protected their rights under the Constitution. Throughout the secession crisis, he argued that the Constitution still protected the rights of southerners, so they should not try to leave the Union. He asserted that Lincoln must choose between the Constitution and the laws of the northern states, and that the South should uphold that document and see what Lincoln would do before giving up the Union. After the Civil War began, Houston condemned both the Union and the Confederacy for violating their constitutions: Lincoln by attacking the South, and the South by resorting to martial law. He reminded both sides that when a government violates both its Constitution and its Bill of Rights, all limitations on
government power disappear. As he frequently said, military rule destroys the rights of citizens, and the Confederacy was proving the truth of that statement by producing both anarchy and despotism with its martial law.

Since Houston clearly had no confidence in many of his fellow government officials when it came to respecting the Constitution, the question was how he hoped to protect the country from the evils of centralism. Whether he dealt with the Republic of Texas, the United States, or just the State of Texas, he placed his primary emphasis on the theory of separation of powers and its corollary, the system of checks and balances. In all three of the constitutions with which he had to deal, the government had three separate branches, and he argued that each of those three branches had separate powers so that it could preserve its sovereignty in its own sphere. In his view, the legislature should make the laws, the executive should administer them, and the judiciary should interpret them. Since he believed that each of the three branches should serve as a check on the powers of the other two, he maintained that the system would work well only as long as no branch became so powerful that it could overwhelm the other two. Throughout his career, he tried to keep all three branches from encroaching on the domains of the others.

Since he served most of one term as governor of Tennessee, two terms as president of Texas, and a large part
of one term as governor of Texas, Houston had a great deal of time to work out and put into practice his theory of how to run the executive branch of government. He believed that the executive should administer the laws, not make them, so he maintained that he had no desire to exercise any privilege or power, except those delegated by the Constitution, and for the most part he lived up to that statement. The only noteworthy exception came in 1860. The legislature violently opposed his views on southern issues, so they refused to cooperate in any of his efforts to administer the state government. As a result, when the state suffered numerous Indian attacks, he had no funds allocated to defend the people on the frontier. In that situation, he argued that he needed no specific legislation to authorize expenditures, because he could finance resistance to Indians under the constitutional power to resist invasion.

In most cases, Houston’s executive responses fell in line with his insistence on strict construction. His actions on executive pardons were fairly typical, as he simply refused to use executive clemency in a novel manner not found in the Constitution. In one case, he argued that under the Constitution the chief executive may not pardon someone until he has been tried and convicted. In another, he refused to grant a pardon, except in the manner prescribed by law, pointing out that the petition did not
say that the state had deprived the man of a fair and impartial trial, or that new facts had developed in the case. Since the man was apparently guilty, the situation of the family of the convict did not constitute sufficient grounds for a pardon, and the state should carry out the sentence.52

Houston's strict constructionist attitude caused him to have many battles with the legislative branches with whom he shared power. Above all, he thought that the chief executive should control the functioning of the executive branch, while his legislatures behaved like most American ones did in the nineteenth century, by trying to dominate all the functions of the government.53 Houston did not maintain control by appointing only his supporters and cronies to office. Indeed, he had very little respect for the spoils system or for those who used patronage to keep themselves in power.54 Early in his career, he criticized John Quincy Adams for using government jobs and government contracts to reward his supporters, maintaining that the government should not deprive people of public employment without just cause or accusation of wrongdoing.55 When he held executive positions himself, he lived up to those ideals, often selecting the people with the best talents over his own personal preferences.56

The clashes with legislatures developed because Houston thought that the chief executive should have firm control
over the other members of the executive branch so that he could make certain that they administered the laws according to his ideas. Since he often appointed people with minds of their own, he had to find a way to control them when they threatened to disrupt his executive policies. Since the legislatures were frequently only too happy to thwart his policies, this problem caused much friction within his administrations.

Houston believed in the strictest accountability for the officers of the executive departments and for the subordinates of his administration. He wanted all major laws to include systems which would try to keep fraud from occurring, but the legislature rarely obliged him. He went much further than protection against fraud, because he believed that opposing the lawful orders of the executive in the exercise of his constitutional functions is insurrection. He believed in a strong executive who could make certain that the executive branch administered the laws as he thought that they should be. If the chief executive is responsible for the execution of the laws, he should be able to control those who serve under him. At one time, he even tried to get the local sheriffs of the Texas Republic under the control of the central government because the sheriffs were not turning in all of the money which they collected in local taxes.

Houston's biggest concern involved policy matters. He
consistently maintained that the chief executive should be the final arbiter of whether minor officials are interpreting the law correctly. Since he held firmly that the law is the law, he maintained that a member of the executive branch must execute the law whether he thinks it is just or not. If any disputes arise as to what the law says, a government employee should ask for advice from his superiors within his own department, with the Attorney General as the final word on the subject. One such dispute pitted Houston against Gail Borden over the issue of what value paper money should have when used to discharge customs duties. After a series of letters in which Borden refused to concede the point, Houston ended the matter by removing him from office.

When the issue between Houston and a member of the executive branch involved constitutionality, he became even more adamant in his position. Since he regarded members of the executive branch as his subordinates, he believed that they should accept his judgment on the constitutionality of laws. In 1860, when Houston resorted to extraordinary measures to provide for frontier defense in Texas, he became involved in a long-running feud with the state comptroller, Clement Johns, over how best to solve the government's money crisis. Houston believed that the chief executive should decide what the executive branch did, while the comptroller argued that he should decide what his own office did.
because Houston had no authority over him. Since the law was unclear, both as to how to raise the money and as to who should make the decisions, the fight raged on for over a year, with Houston never able to establish control over a member of his own administration. 67

Houston maintained that only the legislative branch had the power to make laws, and he opposed all efforts to infringe on its domain. 68 Nevertheless, he believed in strong chief executives, while living in an era of weak ones, so he spent much of his time talking about the abuses and failings of legislatures. Like many Americans, he largely ignored the experiences of Europeans. As a result, he argued that breaches by the executive and judicial branch are easier to identify and punish, so Congress is the most dangerous of all the branches when it exercises a power that it does not have. 69

Using that belief, Houston maintained that the country should not allow Congress to expand the privileges of its members too far. 70 For example, he opposed allowing the Speaker of the U.S. House of Representatives to conduct investigations, because the Speaker might oppress members of the House or ordinary citizens trying to exercise their constitutional rights. 71 In the Stanbery affair, he argued that the House could not construe its members' immunity to prosecution for what they say on the floor to the point of allowing a congressman to defame a private citizen without
giving some method of recourse.\textsuperscript{72} In his view, the rights of congressmen should not include destroying the rights and reputation of an ordinary citizen.\textsuperscript{73} When a congressman uttered a libel on the floor, Houston conceded that perhaps the member enjoyed immunity, but if someone published that libel, the member must answer for his words.\textsuperscript{74}

During the days of the Texas Republic, Houston criticized some congressmen for still more abuses. According to the constitution, he argued, no one could receive an appointment to an office which he helped to create while a member of Congress, yet some members had done just that.\textsuperscript{75} He also pointed to a number of members of Congress whom the Constitution debarred from membership, yet they held their seats anyway.\textsuperscript{76} The Constitution also placed limitations on when Congress could and could not meet, but Houston complained that congressmen ignored those limitations when they pleased.\textsuperscript{77}

As for their failings, Houston found one main defect in Texas legislatures: Congress had two constitutional tasks to perform, and it did not do a good job of either one. First, Congress had to provide the laws which give the executive the power necessary to maintain recognition of constituted authority, and it regularly left the laws so lax as to encourage anarchy.\textsuperscript{78} Second, Congress had to provide the means for the president to act, both the money and the men, and it always gave the executive far too little of both
necessities.\textsuperscript{79} When Houston assailed the legislature for those two failings and for their repeated attempts to interfere in the operation of the executive branch, his messages to Congress often failed to win much support in either house.\textsuperscript{80}

As for the judicial branch, Houston believed that it should interpret the law, and he meant for the judges to use that power in a broad sense.\textsuperscript{81} In his view, the courts were closest to the everyday lives of the people, and their job was to protect the rights of the people: their peace, their property, and their lives. The individual citizens should be able to look to the courts for the redress of wrongs committed against them.\textsuperscript{82} He argued forcefully that a proper judiciary could serve as the best safeguard for the defenseless against the crime which infested the country.\textsuperscript{83} He also took a very idealistic position on the operation of the courts, maintaining that they should remain open at all times, with justice available to every man on a footing of equality. The courts, he held, should determine all cases on their own merits, without letting power, patronage, or contacts influence the minds of an impartial jury.\textsuperscript{84} Since he believed that every man should receive a fair trial, he wanted the courts to give everyone's arguments and witnesses careful attention.\textsuperscript{85} In a very real sense, he regarded the courts as the true guardian of civil, political, and religious liberty.\textsuperscript{86}
If the courts failed to live up to these ideals by protecting the helpless, Houston predicted that the violence of the strong would dominate the country. In order to avoid such a consequence, he argued that the punishment of offences ought to be as prompt and summary as the nature of a country's institutions would admit. During the days of the Texas Republic, the government had difficulty attaining that objective. The local authorities had no jails or guards, so defendants were escaping before the courts could try them. In order to correct the problem, he asked Congress to authorize district judges to try cases immediately when no jail existed.

As to what principles the courts should follow, Houston was a little unclear, because he could not seem to make up his mind about the matter of precedent. At times, he argued that precedents should guide the courts, since they provided for consistent justice. Essentially, he seemed to say that the courts should base their decisions on the Constitution, the laws, precedents, and nothing else. In other words, they should interpret the law, not make it. At other times, he displayed a profound contempt for precedent, asserting that it would do only for judges to give unjust decisions, because the law books contain a precedent for virtually any absurdity.

In 1833, Houston probably gave his most honest view of precedent when he sued in a Mexican court for a divorce from
his first wife. Since Mexican courts rarely granted divorces, Houston chose the occasion to lecture the judge on the proper principles of law. He argued that the fetters of precedent should not bind Texas, because frontier adversity had awakened in its residents the habits of correct and independent thought. The old doctrines of European law, he said, should not apply to the unsophisticated administration of justice in a community of republicans. He maintained that Texans should look to the habits and genius of her people, rather than to the unpopular and preposterous doctrines of trans-Atlantic judges. Since the contract of marriage is a civil matter, he concluded that it should be dissolved when the parties can no longer live together, and prolonged separation of the two should constitute evidence of that incompatibility.92

Despite Houston's inability to decide between justice by precedent and justice by principle, he usually displayed a willingness to give the courts a great amount of power to decide the right and wrong of cases. He even called the judiciary the final umpire in the battle to preserve the Constitution.93 When dealing with the U.S. Constitution, he argued that the Supreme Court should protect the rights of the people and the states.94 Unlike many Jacksonians, he usually accepted the doctrine of judicial review, maintaining that the Supreme Court may compare a law and the constitution and declare a law utterly void if
unconstitutional. Since he completely rejected John C. Calhoun’s doctrine of nullification, which argued that the states have the right to declare a law unconstitutional, he seemed to realize that some part of the government must perform that function, and he saw the Supreme Court as the most appropriate part.

In the battle between the three branches of government to maintain their separate but equal existence, Houston had a good idea of the weapons available to each branch. In the battle between the executive and legislative branches, Houston wanted the executive to enjoy greater strength than it did, but he did not want that trend to go too far. As he put it, he wanted to exercise no privilege or power except those delegated by Congress under the sanction of the Constitution. Since he believed that the president’s duty was to execute the laws, not enact them, he refused to take actions not authorized by law, except in the case of the direst emergency. In money matters, he was especially careful, arguing that the president dare not make any expenditure not sanctioned by a law passed by Congress. He also resisted the idea of spending money appropriated for one purpose on a different purpose.

Since Houston believed that the executive should respect the powers of the legislative branch, he thought that the legislature should not interfere in the powers of the executive. The executive may not direct what laws
Congress passes, nor may Congress direct the actions of the executive, because both actions would violate the principle of checks and balances.\textsuperscript{101} He reacted negatively to laws which restricted the constitutional powers of the chief executive. For example, as president of Texas, he showed a strong dislike for attempts by Congress to influence the course of his negotiations with other countries.\textsuperscript{102} In the area of foreign affairs, he believed that the president should dominate. Although he thought Congress should have some control through ratifying treaties, approving the nomination of ministers, and controlling expenditures for foreign missions, he argued that the president should decide on matters of foreign policy, such as the content and conduct of secret negotiations, without interference from Congress.\textsuperscript{103}

As he later said, during the days of the Texas Republic, Houston had many contests with the Congress over who would control the operation of the executive branch.\textsuperscript{104} One of his favorite weapons against the legislature was the executive veto, for he firmly believed that it was necessary to protect the rights of the people against the legislature becoming too strong.\textsuperscript{105} He also thought that the veto would preserve the balance of power between the two branches, especially with the requirement that two thirds of both houses must agree in order to achieve an override.\textsuperscript{106} During his two presidential terms, he resorted to the veto
on many occasions. In fact, at one time relations with the legislative branch became so strained that Congress refused to print some of Houston's veto messages, although the Constitution required it to do so.107

Houston's biggest complaint against the legislature involved his control over other members of the executive branch. During the years of the Republic, Congress frequently tried to assume direct control over various parts of what Houston considered his own domain. In 1836, he vetoed a post office bill because it provided for electing the postmaster general by joint ballot of both houses of Congress, a provision which he argued violated the Constitution.108 Although he asserted that the chief executive should have responsibility for the functioning of that department, Congress tried to create an independent department by choosing the man who would run it.109

Indeed, Houston frequently expressed anger at Congress for creating independent officials who were responsible only to Congress. Since Congress was usually not in session, and the president had no authority over them, those officials essentially had no supervision. Houston saw the agents who sold land scrip for the Texas government as a typical example of this abuse. Since he could not control those agents, even to the extent of getting them to submit their accounts to be checked, he finally suspended the sale of land scrip.110
In 1838, Houston once again vetoed an act of Congress dealing with the structure of the executive branch. This time, Congress tried to deal directly with the Secretary of Treasury and ignored Houston's claimed presidential authority over that position.\textsuperscript{111} On a few occasions, Congress created new executive offices, with the stipulation that Congress would appoint the new officials rather than the chief executive. Houston protested vehemently, arguing that the Constitution required the president to appoint all newly-created executive officers, subject to the confirmation of the Senate.\textsuperscript{112}

If anything, Houston became even more heated when the Congress of the Texas Republic attempted to control military affairs directly. Insisting that his position as commander-in-chief gave him the power to control the army, navy, and militia, he once again wielded his veto sword when Congress tried to order the movements of the army and navy, and when it attempted to call out the militia.\textsuperscript{113} Despite his vetoes, Congress succeeded in assuming complete control over the militia, by passing laws that established independent militia commands over which the president had no authority. Congress appointed the major generals who led those units, supplied all the financing, and provided what little supervision those units had. Houston was incensed, but he could do nothing after Congress overrode his veto. As a result, when citizens appealed to his office for defensive
measures, he could do nothing, because he had no troops under his command and no money with which to raise any.\textsuperscript{114} He insisted that the procedure was completely unconstitional, but the legislative branch simply ignored his complaints.\textsuperscript{115}

Despite his pro-executive attitude, Houston knew that a strong executive who abused his power could become a problem. He remembered Santa Anna only too well.\textsuperscript{116} He also realized that the impeachment process provided the only method of removing a bad chief executive, and he knew that impeachment was a poor tool to bring a trangressing executive to justice.\textsuperscript{117} Houston was also not hypocritical about his advocacy of a strong executive. When he served in the legislative branch, he assumed basically the same attitude that he had as a chief executive. As a member of the U.S. Senate, he maintained that Congress should make its own decisions about what laws to pass, which was the same position he held in the executive branch.\textsuperscript{118}

Since he believed that the executive should make policy decisions, Houston argued that Congress should not try to pressure the president on such matters.\textsuperscript{119} In addition, he cautioned the Senate against trying to restrain the choices of the president as to whom he nominates for office.\textsuperscript{120} While he had recommendations on foreign policy issues, he refrained from trying to instruct the president on the details of such matters.\textsuperscript{121} Basically, he believed that the
country should allow any man who became president in a constitutional manner to pursue the job as he saw fit until he violated the Constitution. Despite his distaste for the "Black Republicans," he even made that statement about Lincoln. 122

When Houston considered the battle between the executive branch and the judicial branch, his tone was somewhat different than when he discussed judicial review. During his second term as president, he became involved in a dispute between the executive branch and the courts. In 1842, a judge issued a writ to a Galveston customs official, ordering him to do something contrary to law. Houston instructed members of the executive branch to ignore any writ issued by a judge, on the grounds that the Constitution gave no power for one coordinate branch of government to control either of the others. He argued that the judiciary can have no power to interfere in matters, unless the Constitution expressly granted such power, and he would not tolerate any such interference with the rights and powers of the executive. 123

According to Houston, when the president and the Congress have enacted a law, no single judge has the right to interfere in its execution. The president cannot order a judge to make a decision, and a judge cannot order a member of the executive branch to do something. Each branch, he continued, has its own sphere to act in, and it cannot act
outside of that sphere to control the other branches. Carrying such thoughts to their logical conclusion would totally invalidate the concept of judicial review, because declaring a law unconstitutional essentially involves ordering the executive branch not to enforce it. In addition, the concept of judicial review is not specifically mentioned in either the Texas or the U.S. Constitutions. Indeed, at one point in the dispute, Houston seemed to deny judicial review when he argued that the courts have no power to interfere in the enforcement of a law if the Attorney General has decided that the law is constitutional. He never made such comments again, but they cast considerable doubt on Houston's real attitude toward the powers of the courts.

Nevertheless, when Houston considered the battle between the legislative and the judicial branches, he reaffirmed his commitment to judicial review. He respected the U.S. Supreme Court so much that he accepted its decisions without complaint, even when he thought that those decisions were unsound. Throughout his political career, he voiced enthusiastic support for the Missouri Compromise, believing that it kept the peace between the regions, and he strongly opposed its repeal in 1854. Nevertheless, when the Supreme Court decided in the Dred Scot case that the Missouri Compromise had been unconstitutional, he meekly accepted the decision, stating that the Supreme Court was
the only branch of government authorized to answer such questions.\textsuperscript{128} Perhaps he decided that the Missouri Compromise was a dead issue by the late 1850s, but his reaction seemed quite strange for a man who had made a major issue of its repeal in the early 1850s.

Houston also showed his support for the judiciary by vetoing a law which changed the compensation of judges. In effect, the law would have lowered their pay, which was unconstitutional, and he wanted to preserve that part of the system of checks and balances from legislative tampering.\textsuperscript{129} He also resisted efforts by the legislative branch to institute procedures which in any way resembled the trying of cases. Whether he was serving in a Congress that was attempting to investigate private citizens, as in 1825, or was himself a private citizen that Congress was attempting to try, as in the Stanbery affair, he believed such procedures violated the spirit of the Constitution.\textsuperscript{130}

On only one occasion did he sharply criticize the federal judiciary: the case of Judge John Watrous. Watrous was the federal judge for part of Texas from 1846 to 1869 (except during the Civil War), and during his term he engaged in many questionable practices. Many people in Texas were convinced that Watrous was engaged in a fraudulent attempt to gain title to great amounts of Texas land for himself and a group of his business associates. Much evidence existed that Watrous had actually abused his
position by resorting to a number of illegal judicial procedures to win favorable verdicts in his own cases. In a number of lengthy speeches, Houston asserted that Watrous had sat on cases in which he was personally involved, moved cases to out of the way places to prevent defendants from appearing to protect their interests, bribed witnesses in his own cases, and even doctored court records of trials to prevent higher courts from overturning them on appeal. Houston and other Texas legislators tried to get rid of Watrous by a number of different methods, including impeaching him and abolishing his district, but these attempts all failed.\textsuperscript{131}

By 1859, Houston had become disenchanted with the weapons that the legislative branch had to use against the judiciary; they simply were not effective. According to Houston, impeachment failed because of the deficiencies in the procedure, not because Watrous was innocent.\textsuperscript{132} He even had a few unkind words for the Supreme Court when they refused to intervene against Judge Watrous on the grounds that they could not believe that a judge might falsify a trial record.\textsuperscript{133} Houston found out the hard way how entrenched the federal judiciary had become.

Houston's involvement in the episode of the Texas capital and archives provided an illustration of his attitude on constitutional questions. In 1839, while Mirabeau Lamar was president of Texas, Congress located the
capital in Austin. Houston opposed this move on the grounds that Austin was on the frontier, and thus too far from most of the country and too exposed to Indian and Mexican attacks. In addition, he argued that the Constitution had not given Congress the power to move the capital, so that power was reserved to the people, and the people must vote on the matter. As was often the case, Congress ignored him. When he became president in 1841, he decided that Austin was not safe. Since he believed that the Constitution gave the president the job of protecting the national archives and offices, he decided to move both of them.

The offices did move, but when Houston ordered the archives moved, the residents of the city organized and prevented that move by force. Although he insisted that the chief executive had the right to move offices and archives when he thought they were at risk, Congress refused to back his attempts to move the archives. When Austin citizens threatened to burn the archives rather than give them up, Houston abandoned further efforts to try to get the archives back. When two Mexican invasions struck the frontier, Houston pointed to the heightened threat to Austin, but to no avail. In 1844, Congress passed a law for a return to Austin, but he vetoed it on the grounds that the city was still unsafe. He never did return to Austin, but the capital returned there after he left office. By 1843, he
had given up all hope of moving the archives, saying that
the supposed interest of a few was winning over the rights
of the whole nation. 136

In a way, the Texas Archives War makes a fitting
conclusion to the story of Houston’s battles over
constitutional questions and checks and balances problems.
Although he managed to move the capital from Austin for a
while, in the long run he lost the fight over both the
capital and the archives. He never even managed to persuade
Congress that they had violated the Constitution and that
they should submit the matter to the people. Those losses
symbolize well his failure on the larger questions.
Although he fervently believed in the strict constructionist
viewpoint, that concept of the Constitution just barely held
its own before the Civil War, and then gradually lost out
thereafter. 137 Despite his best efforts at raising the
executive branch to a position of equality with the
legislative, for most of the nineteenth century presidents
and governors assumed a passive role in the conduct of
government affairs. 138 Ironically, when chief executives
became stronger in the twentieth century, they achieved
dominance rather than equality, a situation that Houston
would not have liked either. 139 Unfortunately for Houston
and his ideals, the tide of political development ran
against him, and only his best efforts kept his career and
his principles afloat during the final antebellum years.
Notes

1 Amelia W. Williams and Eugene C. Barker, eds., The Writings of Sam Houston, 1813-1863, 8 vols. (Austin: University of Texas Press, 1938-43), 1:317. Although most scholars refer to these documents by specifying the date and the people involved with a letter or speech, this work emphasizes the idea content of Houston’s writings, and thus regards such details as of little importance to the analysis. As a result, all references to the writings contain only volume number and page number.

3 Ibid., 1:304, 7:344.
4 Ibid., 1:449.
5 Ibid., 1:347, 1:438.
6 Ibid., 1:438-9, 2:89, 3:32.
7 Ibid., 1:302, 1:304, 1:316, 5:30.
9 Ibid., 4:361-2.
10 Ibid., 8:152.
11 Ibid., 4:365-6.
12 Ibid., 1:218.
13 Ibid., 1:219.
14 Ibid., 5:318, 7:366.
16 Ibid., 1:215, 5:229.
17 Ibid., 3:28.
18 Ibid., 7:344.
19 Ibid., 3:312-3.
20 Ibid., 5:121.
21 Ibid., 3:68.
23 Ibid., 5:292.
24 Ibid., 1:26-7.
25 Ibid., 2:414, 6:3.
26 Ibid., 3:382.
27 Ibid., 4:164.
29 Ibid., 5:224.
30 Ibid., 5:524-5.
31 Ibid., 7:48.
32 Ibid., 3:154.
34 Ibid., 7:197, 7:220-1.
38 Ibid., 7:432-3, 8:151, 8:195.
39 Ibid., 8:129.
40 Ibid., 8:193-7.
41 Ibid., 8:313-4, 8:316-7.
42 Ibid., 8:318.
43 Ibid., 8:347.
44 Ibid., 2:109-10.
46 Ibid., 3:11.


48 Ibid., 7:407-22; Marion Karl Wisehart, Sam Houston, American Giant (Washington, D.C.: Robert B. Luce, 1962), 582-3.

49 Williams and Barker, Writings, 7:411.

50 Ibid., 8:120-1.

51 Ibid., 4:123.


54 Williams and Barker, Writings, 1:82.

55 Ibid., 1:86-7.

56 Ibid., 1:457-8.

57 Ibid., 2:408, 7:414.

58 Ibid., 2:416, 2:420.


60 Ibid., 6:104.

61 Ibid., 3:469-70.

62 Ibid., 4:41.

63 Ibid., 4:189.

64 Ibid., 4:191.


68 Ibid., 2:109-10, 4:135-43. Houston refused to sell
the steamship Zavala without proper authorization from Congress, although his secretary of war insisted that he do so.

69 Ibid., 5:125.
70 Ibid., 4:523-4.
71 Ibid., 1:26.
72 Ibid., 1:210-2.
73 Ibid., 1:213-4.
74 Ibid., 1:216.
75 Ibid., 3:515-6.
76 Ibid., 4:164.
77 Ibid., 3:8.
78 Ibid., 3:209.
79 Ibid., 2:406-7.


81 Ibid., 2:109-10.
82 Ibid., 2:434-6.
83 Ibid., 2:396.
84 Ibid., 1:26, 3:5.
85 Ibid., 1:221-2.
86 Ibid., 2:195.
87 Ibid., 4:150-1.
89 Ibid., 2:122, 2:153-4.
90 Ibid., 5:77.
91 Ibid., 7:158.
92 Ibid., 1:279.
93 Ibid., 4:402.
94 Ibid., 5:235.
95 Ibid., 5:54; Tindall, America, 1:396-7, 1:423-9.
96 Williams and Barker, Writings, 5:98-101.
97 Ibid., 2:407.
99 Ibid., 2:305, 4:365.
100 Ibid., 2:305, 7:495.
101 Ibid., 4:53.
104 Ibid., 5:275.
105 Ibid., 5:235.
106 Ibid., 4:401.
107 Ibid., 4:46.
108 Ibid., 1:509.
109 Ibid., 1:510.
110 Ibid., 2:76, 2:83.
111 Ibid., 2:225, 3:12.
112 Ibid., 4:61.
113 Ibid., 2:109-10, 2:238.
114 Ibid., 2:302-3.
115 Ibid., 2:304.
116 Ibid., 4:300, 4:530, 5:30, 5:421.
117 Ibid., 5:168.

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118 Ibid., 4:521-2.
119 Ibid., 5:413.
120 Ibid., 6:106.
121 Ibid., 5:414.
124 Ibid., 4:146.
126 Williams and Barker, Writings, 3:150.
127 Ibid., 7:51-2.
128 Ibid., 7:360.
129 Ibid., 2:434-6, 3:12-3.
130 Ibid., 1:26, 1:210-6, 3:5-6.
132 Ibid., 7:298.
133 Ibid., 7:287-8.
135 Ibid., 2:373, 2:529-30, 2:533.
CHAPTER 8

FOREIGN DIPLOMACY AND INTERNATIONAL INTERVENTION

Although he possessed a military background, Houston did not regard the military as the best solution to the problems which frequently arise between nations. For some situations, he believed, a nation must resort to war in order to protect its rights and its honor, but usually foreign diplomacy served a country much better. In fact, he regarded diplomacy as the most suitable method of settling important affairs between nations, and he tried to use that method whenever possible. During his two terms as the president of the Republic of Texas, he displayed a good understanding of the possibilities and limitations of the diplomatic art. Although he conceded that he had very little diplomacy about him, and possessed a well-deserved reputation as a contentious and undiplomatic person, he still managed to lead Texas through some extremely difficult years as a small, weak country.

In Houston’s view, the executive branch, in the form of the president, should control the conduct of foreign affairs, and although the president needs the approval of Congress for some of his actions, the legislative branch should allow him to determine foreign policy without interference. Regardless of the branch of government in
which he served, he maintained this view consistently, both
for the United States and for the Republic of Texas. For
example, as a member of the U.S. Senate in 1853, he argued
that the president should decide on foreign policy. Since
the president deals with the subject on a day-to-day basis,
the Senate should only advise him, not try to dictate his
actions.5

In 1855, he added that since the president is in charge
of diplomatic relations, he should be allowed discretion in
carrying them out.6 In 1846, he even went so far as to say
that the president has the right to keep his negotiations
with foreign powers secret from the Senate. He stated quite
bluntly that the president should negotiate treaties without
interference, and then the Senate has the right to accept or
reject the completed treaty.7

When he served as the president of Texas, he adamantly
defended that same viewpoint.8 In 1843, he argued that the
Constitution gave Congress the right to disapprove of
treaties, and, since that power gave them enough control of
foreign diplomacy, Congress could not go beyond it.9 During
a long squabble with the Texas Congress, he maintained that
they could not supervise correspondence with foreign
governments, nor dictate policy.10 In 1844, he even refused
to disclose to the House correspondence dealing with then
current secret negotiations with foreign powers, because he
had to protect their confidentiality.11 The executive, he
argued, certainly should not reveal the content of secret negotiations just because Congress was excited about what might be under discussion. Because Congress had leaked such information in the past, he would only allow a few top members of Congress to look at such material.

Despite this strong opinion on the matter of presidential control of foreign policy, Houston did not believe that the president could or should enjoy total control. As he said in 1846, the Senate had the final word on whether a treaty would go into effect. Once the Senate approved a treaty, he maintained that the president must execute it as the supreme law of the land. For instance, in 1826 he sharply criticized President John Quincy Adams for suspending the execution of a treaty already ratified.

In addition, he believed that the president could not enhance his power by simply acting without benefit of treaty. In a number of cases, he complained when the possibility arose that the president might make agreements with foreign countries without submitting them to the Senate as treaties. For example, in 1826 he asserted that the president needed approval of the Senate in order to send ministers to a meeting of nations in Panama, and in 1842 he argued that the chief executive could not form treaties of alliance without the sanction of the Senate. At times he also maintained that Congress could keep some control over the foreign activities of the president by using its
Constitutional power over the budget to determine the number
and types of foreign service personnel that the president
had available to carry out his policies.\textsuperscript{17}

As for the purpose of foreign diplomacy, Houston saw
three distinct goals: the protection of the lives,
liberties, and properties of individual citizens, the
furtherance of the commercial interests of the country, and
the spread of American standards and principles of
government. Throughout his political career, he discussed
foreign affairs primarily in a practical, down-to-earth
manner, treating the individual rights of the country's
citizens as more important than their commercial interests,
while ideological concerns were a distant third.\textsuperscript{18} Whether
he served the United States or the Republic of Texas, his
main concern involved the protection of his country's
citizens as they spread out over the continent. The biggest
threat to their safety came from the many Indian tribes
which they encountered. Since he regarded those tribes as
separate nations, he advocated signing treaties with them
and then keeping those treaties.\textsuperscript{19} He always believed that
proper treatment of the Indians would ensure the survival of
both groups.\textsuperscript{20}

As for other countries that might constitute threats to
Americans, he supported peace through negotiated treaties
whenever possible, with war only as a final recourse.\textsuperscript{21} The
Oregon question provides an illustration. By 1846, both
England and the United States claimed the Oregon country, and the two countries jointly occupied the region under an agreement signed originally in 1818. Americans had begun to move into the area in large numbers, and Houston did not believe that the U.S. could protect its citizens adequately without exclusive legal and political jurisdiction.\(^{22}\) Despite U.S. efforts to settle the matter by negotiating a treaty to divide the area, England had repeatedly resisted a negotiated settlement, so Houston urged the president to abrogate the present treaty and put pressure on England to reach a quick agreement.\(^{23}\) Although some Senators claimed that such action would result in war, he seemed to believe that England would come to terms, and that belief proved correct.\(^{24}\)

When Houston had responsibility for foreign affairs as the president of Texas, his overriding concern was the protection of Texans against the continuing threat of war with Mexico.\(^{25}\) Although Texas had secured de facto independence with the victory at San Jacinto in 1836, Mexico refused to ratify the treaty which Santa Anna had negotiated with the Republic of Texas. Even though Houston kept the Texas hotheads from executing Santa Anna in hopes that the defeated dictator would persuade Mexico to honor the peace treaty, the Mexican government continued to regard Texas as part of Mexico and stated that eventually it would bring the rebellious province back into the country by force.\(^{26}\) Since
Texas was small compared to Mexico and possessed little economic or military power, it had only three alternatives to protect itself from Mexico.

As Houston later identified them, the three alternatives consisted of annexation by the United States, recognition of Texas independence by Mexico, or a defensive alliance with England and France against Mexico. When Houston began his first term as president in 1836, both he and the people of Texas wanted and expected the United States to annex them. Although Houston sent representatives to the U.S. to apply for and negotiate annexation, President Jackson did not pursue the matter. Despite his personal desire for Texas and his friendship for Houston, Jackson's only contribution to the situation was to recognize the independence of Texas just before he left office in 1837. Houston also sent representatives to other countries, such as Great Britain and France, to try to gain recognition of Texas independence, but with little immediate success. Fortunately for Texas, between 1836 and 1839 Mexico was in a very chaotic state and could not mount an invasion of Texas. Since Houston deliberately avoided attacking Mexican territory during those years, an uneasy peace between the two countries existed when he left office in 1838. His successor, Mirabeau B. Lamar, opposed annexation, as did President Martin Van Buren of the United States, so no
progress developed in that area between 1838 and 1841. Lamar also believed that Texas could use military might to force Mexico to recognize its independence, and his attack on Mexican territory led to military disaster, plus a renewed hostility on the part of the Mexicans. In addition, the Mexican political and military situation stabilized.

Thus, when Houston began his second term in 1841, the political and military situation had worsened significantly. After again considering his three alternatives, he decided to pursue all three at once, in hopes than one of the three would succeed in saving Texas from the Mexican Army. In the next three years he did just that. He sent new negotiators to Washington, D.C., with instructions to reopen discussions about annexation. After a brief flurry of military offensives touched off by Mexican raids into Texas, he made serious efforts at persuading the Mexicans to negotiate a peace. In 1844, he even sent two commissioners to Mexico to negotiate for the release of prisoners and for a peace treaty.

Finally, Houston asked the English and the French to intervene in Mexico to try to stop the Mexican invasions of Texas. Between 1842 and 1844, he also asked the British consul to help arrange peace with Mexico, to try to alleviate the conditions of Texas prisoners of war, and to try to obtain the release of those prisoners.
Increasingly, his communications with the two European powers seemed to suggest that a defensive alliance with them would serve the interests of all better than annexation by the United States.\textsuperscript{43} 

Unfortunately, none of this activity seemed to produce the desired result: a secure future for Texas. Although the new U.S. president, John Tyler, favored annexation, he did not succeed in getting the Senate to ratify a treaty to that end.\textsuperscript{44} Although the English and the French stopped the Mexican raids by putting pressure on the Mexican government, the Mexicans would not agree to recognize Texas independence.\textsuperscript{45} Moreover, although Mexico eventually released most of the Texas prisoners of war, they took a long time to do it, and the Europeans never succeeded in getting the Mexicans to treat them well while they continued in captivity.\textsuperscript{46} As for an alliance with the European powers, most Texans and American southerners opposed it, thus making it an unlikely and unworkable alternative. Many feared that England would insist on Texas outlawing slavery as the price of her protection, and for years afterward Houston had to defend himself against the charge that he had even considered such a condition.\textsuperscript{47} 

In fact, much of the difficulty with Houston's efforts came from the lack of cooperation on the part of most Texans. Many people in the Texas Congress and the Texas Army refused to consider the reality of their situation.
Throughout those years, many believed that they could successfully invade and subdue all of Mexico. When Mexico launched raids into Texas in 1842, Congress responded by passing a bill to annex all of northern Mexico. When Houston vetoed the bill as a legislative joke which could undermine any chance of negotiating for peace with Mexico, Congress overrode his veto. In 1843, when he gave England an assurance that no aggressive moves would be made against Mexico while they tried to arrange an armistice, the Texas Navy promptly defied orders, went to sea, and broke the assurance.

Although Houston had originally favored annexation, by the 1840s the continual problems with the United States had cooled his ardor for that option. The rising slavery agitation in the United States made him decidedly uneasy about exposing Texas to such a situation. In addition, as a minor, independent power, Texas might have fewer difficulties in world relations than as part of the U.S. Since the U.S. had rejected Texas a number of times, he advocated remaining independent until the U.S. issued a proper invitation. Only the continuing interest of the people of Texas kept him working for annexation.

With success eluding his every diplomatic maneuver, Houston deliberately began to play the three groups against each another. In order to avoid the U.S. annexing Texas, Mexico might recognize an independent Texas, on condition
that annexation would never occur. In order to avoid European influence in Texas, the U.S. might agree to annexation. In order to avoid annexation, the European powers might protect Texas against Mexico. By 1844, the continuing lack of cooperation on the part of Mexico made a negotiated recognition seem less and less likely. Even when annexation seemed imminent, Mexico still insisted on referring to Texas as a department of Mexico, and the Texans rejected any negotiations based on that stipulation. Only in 1845, with annexation virtually complete, did Mexico make a serious attempt at completing a peace treaty which included recognition, and the Texas Senate rejected the idea in committee.

When the final push for annexation began, Houston faced one serious problem. If Mexico believed that the U.S. would annex Texas soon, Mexico would suspend its discussions with the European powers and seek to attack Texas. If England and France believed that annexation was imminent, they would lose all motivation for keeping Mexico from attacking. Houston argued that Texas would have to risk its temporary protection from England and France in order to obtain the permanent protection of the United States. Thus, in order to negotiate with the U.S., Texas required protection from the U.S., even in the event that annexation failed. When President Tyler agreed to provide such protection in 1844, negotiations began in earnest.
When the Senate rejected that treaty, the U.S. retracted its offer of protection. Fortunately, England and France renewed their offers for protection in order to forestall another attempt at annexation. Nevertheless, Houston did not stop the consideration of annexation, and Anson Jones, Houston's chosen successor in office, finally obtained it. When the successful effort took place in 1845, the U.S. kept armed forces on standby in the area to secure Texas from attack. In short, in the 1840s Texas needed protection, and Houston negotiated with the superpowers of his day to provide it. With the politicians of the North showing increased opposition to the addition of any new slave territory to the United States, the success of Texas in achieving annexation speaks well of the diplomacy of Houston.

Although protecting his country dominated Houston's actions and discussions on foreign affairs, he did devote some effort to the other two purposes: commerce and ideology. Unfortunately, on both of them he displayed far less clarity and consistency. On the subject of commercial interests, despite his own tendency to place political and moral principles ahead of economic motives, Houston seemed to believe that many people operated in just the opposite way. He argued that good commercial relations between two countries should make them friendly. He believed in that idea so much that he even tried to encourage trade between
Texas and Mexico while Mexican armies were still raiding Texas cities in 1842. Houston did, however, realize that the idea had limitations. In 1861, he maintained that the economic power of King Cotton would not bring Europe to the aid of the Confederacy during the Civil War. Although the South and England enjoyed extensive commercial ties, he later added that England’s ideological objections to slavery would prevent her from aiding the southern war effort. Since he believed that the French were closer ideologically to the South, he argued that France would be a much more natural ally than England.

Nevertheless, Houston’s two Texas administrations tried to assist the financial success for its citizens by negotiating commercial treaties with the economic powers of the time, namely the United States and the nations of western Europe. During his first term, Texas diplomats had only limited success in that area, but their accomplishments did include a treaty of amity and commerce with Great Britain in 1838, plus a similar treaty with France, which they completed after Lamar took office in 1839. In his second term, the diplomats who pursued Houston’s goal of improved commercial relations enjoyed almost phenomenal success. In 1842, a commercial treaty extended excellent trading privileges to the United States in return for concessions on Texas cotton. In quick succession, Houston announced treaties with Great Britain in
1842, the Netherlands in 1843, the U.S. again in 1843, Belgium in 1843, and some of the German states in 1843 and 1844.80

The question of pursuing ideological goals caused Houston the greatest amount of difficulty. The idea of encouraging the spread of U.S. principles of democracy and freedom to the rest of the world created few problems, because Houston usually rejected such extensive intervention in the affairs of other nations, arguing that the United States and other nations should not meddle in foreign politics.81 In 1826, he rejected the idea of sending official representatives to South American countries to instruct them in U.S. institutions.82 Although the U.S. could and should teach by example, he thought it should not attempt to preach to other countries. While he found moral influence salutary, he thought moral pressure objectionable.83

When a policy question involved Europe, Houston always advocated staying out of it, no matter what principles became involved.84 Even though he disliked the Holy Alliance intensely for their attempts to suppress democratic reforms throughout Europe, he never argued for aiding the reformers against that alliance.85 For instance, in 1824 he rejected the idea of aiding the Greek rebels, even though he thought that the U.S. should state that it believed the rebels had the right to overthrow the Ottomans who ruled
On matters that involved the Western Hemisphere, his position became much more complicated, and, at times, even contradictory. He supported the Monroe Doctrine, maintaining that the United States should try to keep European nations out of the Americas. According to Houston, such action should not assume a prohibitive character, but rather a preventive one. In order to keep Europeans out, the U.S. should intervene quickly, before the Europeans had time to act, in any situation which threatened to get out of control. For example, in 1848 he recommended that the U.S. interfere in the Yucatan because savages threatened to butcher the civilized whites in the area. In addition to arguing that the U.S. must act if any chance existed that the Yucatan might fall into the hands of a European power, he maintained that such preemptive action would protect the lives of innocents and would also protect the interests of U.S. commerce.

On the other hand, in 1853 he ignored ideological concerns when he took his stand on Cuba. Although he believed that the nations of the Western Hemisphere should enjoy freedom, he maintained that the U.S. should stay out of Cuba. Despite his love of individual liberty, he argued that the U.S. should not interfere in a country just to prevent despotism. He even went so far as to say that the U.S. should let other nations do as they will with their
own subjects. Of course, he may have taken into consideration the centuries-old Spanish occupation of the island and the involvement of proslavery agitators in the situation, but he did not mention either fact in his speech. His main concern involved the reality that private American citizens had actually invaded the island, and he wished to avoid supporting their filibustering efforts.

In a similar vein, Houston even justified Jackson's refusal to provide direct aid to Texas during the 1836 revolution against Mexico, on the grounds that the U.S. had a treaty with Mexico which prohibited such interference, and the U.S. should respect its treaties with other nations. At other times, however, he had few reservations about what the U.S. could do to Mexico. Between 1848 and 1860 he proposed on numerous occasions that the U.S. should establish a protectorate over Mexico. He had many reasons for this position, including the continual problems which the chaos in Mexico caused in Texas, but such massive intervention in a foreign country made most of his contemporaries uneasy and raised more than a few questions about what goals the protectorate would really have served.

Houston's position on intervention in Mexico became even more confusing in his final years. In 1858, he suggested to the Senate that France might move to take over a South American state, and that the U.S. should make some
practical move to show that it meant to enforce the Monroe Doctrine.\textsuperscript{96} In 1863, after France had indeed moved against Mexico, he sounded as if he approved of their effort to restore Mexico to order.\textsuperscript{97} Perhaps he believed that Mexico's condition justified almost anyone's action, or perhaps he just felt disenchanted with the U.S. government, but his approval seemed strange for such a strong supporter of the Monroe Doctrine.

In addition, Houston's position on intervention contained one final complication. In the process of trying to obtain protection for Texas from the raids of Mexican armies, he sought help from wherever he could get it. When the U.S. failed to help Texas in a crucial time, Houston turned to England and France to try to control the Mexican government. In effect, he invited those European powers to intervene in the Western Hemisphere.\textsuperscript{98} Of course, in a way his position at the time mirrored his views as a representative of the U.S. government. For the U.S., he argued that it must intervene in foreign countries when necessary in order to preempt European countries. For Texas, he turned to Europe when the U.S. failed to act in a situation which demanded intervention. The situation possessed a certain reverse, or perverse, logic.

For Houston, this situation did not represent a contradiction. Although he usually rejected the idea of long-term, military alliances, arguing that countries should
deal with each other on a one-to-one basis, he did resort to temporary ones when the safety of his country required it. By treading a fine line between maintaining the national independence of Texas and inviting foreign intervention in its affairs, he managed to protect its citizens from further invasions of its borders. Ever the practical man, he regarded that outcome as the ultimate diplomatic success. Throughout his years of public service, Houston advocated the theory that a government must protect its people, that diplomacy normally served that goal better than war, and that the president of a country was the most likely person to succeed at directing diplomacy. During his two terms as the president of Texas, he implemented that theory as well as he could. Despite the opposition of those who continually urged him to make war on Mexico, or condemned him for undermining Texas independence, or accused him of trying to abolish slavery in Texas, or decried his lack of success in achieving annexation, he steered a course which kept Texas relatively free of war, furthered its political and economic interests, preserved the institution of slavery, and eventually led to annexation. Although he did not deserve all the credit for that outcome, he certainly earned a large share of it.
Notes

1Amelia W. Williams and Eugene C. Barker, eds., The Writings of Sam Houston, 1813-1863, 8 vols. (Austin: University of Texas Press, 1938-43), 3:181, 3:477, 4:152, 4:455-6, 4:469. Although most scholars refer to these documents by specifying the date and the people involved with a letter or speech, this work emphasizes the idea content of Houston’s writings, and thus regards such details as of little importance to the analysis. As a result, all references to the writings contain only volume number and page number.

2Ibid., 7:13.


5Ibid., 5:414.

6Ibid., 6:178.

7Ibid., 4:465.

8Ibid., 3:487.

9Ibid., 3:486-7.

10Ibid., 3:387.

11Ibid., 3:500.

12Ibid., 3:500.


14Ibid., 4:465.

15Ibid., 1:106.

16Ibid., 1:30, 3:233-4.


Ibid., 4:456, 4:463.

Ibid., 4:452-3.

Ibid., 4:452-3.


Ibid., 5:16-7.


Ibid., 2:87, 4:25.

Ibid., 2:74.


Williams and Barker, Writings, 2:527.

Wisehart, American Giant, 285-9, 302-6, 329.

Williams and Barker, Writings, 4:466; Wisehart, American Giant, 329, 353; Friend, Great Designer, 119.

Wisehart, American Giant, 364-5, 375, 382-91, 397, 413; Friend, Great Designer, 85.

Wisehart, American Giant, 375.

Williams and Barker, Writings, 5:16-7.

Ibid., 3:112-3, 4:426.


41 Ibid., 3:156-7, 3:179-83.


44 Ibid., 5:16-7.


52 Ibid., 4:263, 4:414.

53 Ibid., 4:321.


56 Ibid., 3:456.

57 Ibid., 5:16-7.

58 Ibid., 5:15, 5:21-2.

59 Ibid., 4:298.


61 Ibid., 4:299.

62 Ibid., 5:36-7.

63 Ibid., 3:541, 4:296, 4:531.

68 Ibid., 4:538-9, 5:24-5.
69 Ibid., 5:276.
71 Friend, Great Designer, 136, 175.
73 Williams and Barker, Writings, 3:462.
74 Ibid., 3:60, 3:152.
75 Ibid., 8:298.
76 Ibid., 8:329-32.
77 Ibid., 2:152.
81 Ibid., 5:37.
82 Ibid., 1:32.
83 Ibid., 1:33.
84 Ibid., 5:419, 5:423.
85 Ibid., 7:94.
86 Ibid., 1:22.
87 Ibid., 5:415, 5:419.
88 Ibid., 5:38.
89 Ibid., 5:39-47.
90 Ibid., 5:416, 5:419.
91 Ibid., 5:420.
92 Ibid., 5:420.
93 Ibid., 5:420, 5:423.
95 Williams and Barker, Writings, 7:84-99.
96 Ibid., 7:128-9.
97 Ibid., 8:329-32.
99 Ibid., 1:31, 1:34-5.
Sam Houston detested pecuniary matters, both on a personal and a practical political level.\textsuperscript{1} Since his personal code of behavior emphasized morality and honor over economic success, he regarded money matters as secondary to the business of life.\textsuperscript{2} When money matters did arise during his public career, he always approached them with a rigid insistence on honest behavior and restrained spending by public officials. Unfortunately for his peace of mind, during much of his public life, the people with whom he dealt fell far short of the standards that he held. As a result, he spent a great deal of his time dealing with economic policy and government finance, often trying to extricate the government from the economic shambles that others had created. As he once remarked, money matters frequently gave him more trouble than all others.\textsuperscript{3} Nevertheless, in some ways he possessed a knowledge of economic matters which surpassed that of many of his contemporaries, with his understanding of government monetary policy a noteworthy example.

On a personal level, Houston did not enjoy a great amount of financial success. From the day that he abandoned the counter in his brother’s general store to live among the
Indians, through his never quite successful ventures in land speculation, to his final days selling firewood in order to support his family, he never displayed the desire or the ability to succeed in the world of business. Although he did reasonably well as a lawyer in his later days, he spent much of his life in public service, and at those times he attended to public business much better than he did to his own. Although the standards of the day would have allowed him to use his public offices to gain personal wealth, he deliberately refused to do so. Even his bitterest enemies never charged him with dishonesty in handling public funds. When he died, he was only moderately well off, leaving an estate of ninety thousand dollars in the days of inflated Confederate currency.

Personal distaste for the pursuit of wealth carried over into Houston's attitudes on political economy. Like many Jeffersonians and Jacksonians, he regarded an agricultural society as the ideal. He had no fondness for life in the cities, regarding those who had to grow up in them as truly unfortunate. He believed that farmers were the backbone of a free country, with the honest yeomanry, those who work for a living by plowing and planting, sustaining and supporting it. During the years of the Texas Republic, he admitted that the country was both agricultural and poor, but he argued that its abundant resources would eventually make her wealthy, if the people
would only cultivate the soil, raise their crops, and rear their cattle.\textsuperscript{11}

Although Houston could see the benefits of trade and manufacturing, he looked with suspicion upon those who dealt only with money, arguing that honest gain is fine, but not speculative avarice.\textsuperscript{12} In addition, he regarded any attempt to use the government to help the moneyed interests as a threat to the rights and the prosperity of the common man.\textsuperscript{13} Believing that individual enterprise provided the only answer to the financial problems of the country, he fought any attempt to encourage the growth of large economic organizations.\textsuperscript{14} For example, he believed that corporations had so often trampled upon the rights of private citizens that the government must not grant them any privileges which would in any way endanger those rights.\textsuperscript{15} Because of this fear that political power would lead to economic tyranny, much of his economic policy was negative in nature. He saw the government as a watchdog trying to protect the rights of the individual from the harmful activities of powerful economic groups.

Houston maintained that all men should stand equal before the law, with the government granting no special privileges or distinctions to a select few.\textsuperscript{16} He particularly included in this position a prohibition against special legislation for the rich.\textsuperscript{17} In that category, Houston placed a great many pro-business laws, including
those that granted monopolies to certain companies and those that tried to create a moneyed aristocracy by restricting inheritance under such practices as primogeniture. In his attack on powerful economic groups, he did not leave out the government. For example, he objected to allowing the government to seize a person's property for use by the government in time of peace, arguing that such a practice constituted a direct attack on the rights and liberties of citizens. He especially disliked the government's setting the price for the land that it seized under the principle of eminent domain, with the owners having no say in the matter.

Although he reserved most of his concern for the common man, Houston did not ignore the possibility that government might transgress on the rights of financial interests. In his days as governor of Texas, he battled the legislature over the issue of changing company charters after they had gone into effect, arguing that the injustice of adding new conditions after a company had begun doing business would discourage further investment in the state. In one instance during the years of the Republic, he set up rules for trading between Texas and Mexico, with the objective of protecting the traders from Texas government officials. At times, he even argued that the government should avoid any action which might inadvertently harm people financially. For example, in 1858 he cautioned the United
States against releasing a government surplus into the money supply because it might hurt the economy.  

On the other hand, Houston did not believe that the government should try to help those who suffered from the general misfortunes of life. Although he regretted the calamities that befell people, he did not think that the government should provide relief from those problems. Once again his concern involved the possibility that the government might harm other individuals by taking their property in order to give it to the victims of such disasters. He maintained that relief constituted an attack on the right of property, and he feared that such an attack would produce clashes between different economic classes. Once the government established the principle of taking property from one man to ease the suffering of another, he believed that various groups would expand the practice with disastrous results.

Since he held such a negative view of government's role in economic affairs, Houston quite naturally advocated the idea that government expenditures should be as low as possible. His public statements contained repeated calls for prudence and economy in government, the strictest economy in disbursing public money, and constant efforts to husband the treasury. Although this policy was most evident when he had to face the severe lack of funds which Texas experienced during the years of the Republic, Houston
believed keeping government expenses low was a good policy under all conditions.\textsuperscript{27} His caustic remark that the U.S. Senate wasted two thousand dollars every day on nothing of any consequence indicated his contempt for governments which ignored that policy.\textsuperscript{28} Indeed, he became such a supporter of economy that he even contended that it would serve as a remedy for the problem of corruption in government.\textsuperscript{29}

For Houston, preventing corruption was as major concern. In order to stop it, he believed in strict accountability for everyone involved in governmental financial matters. For prevention of fraud, he advocated the auditing of all government accounts, with vouchers or other proof necessary to establish a claim.\textsuperscript{30} This accountability applied both to those who received government funds, and to those who spent government money.\textsuperscript{31} One of the angriest speeches he ever gave in the U.S. Senate attacked a government representative who spent lavishly in the hotels and restaurants of Europe, kept no vouchers and no receipts, and then asked the government to reimburse him for his expenses.\textsuperscript{32}

To achieve his fierce desire to stop the misappropriation of government funds, Houston advocated a method that he thought would work: all legislation should contain provisions for checks on the accounting and disbursing officers of government.\textsuperscript{33} If a bill creating a major government program did not contain such checks, then
frauds would likely result, with expected losses heavier than the expense of preventing them. When he served as president of Texas, he pursued this objective to the point of vetoing legislation that did not contain such checks against fraud. He did not want elaborate systems of control, such as boards of accounts, because he believed that complexity just provided more opportunities for corruption, fraud, and even influence peddling. He did, however, want different individuals to perform the separate tasks of paying claimants and auditing their claims, so that each could serve as a check on the other. Despite constant effort on his part, the legislature often ignored his views on the prevention of fraud.

In contrast, the legislature shared some of his principles in the last and most important of the economic fields on which he had negative attitudes: banks and money. During the antebellum years, these two areas had more impact on the people of Texas than did all the others combined. The legislative branches of both the Republic and the state shared his views on banks, but frequently disagreed on money. If the reverse had been true, Texas might have avoided a tremendous amount of financial difficulties.

Like many Jacksonians, including Andrew Jackson himself, Houston possessed an eternal hostility and opposition to all banks. In 1832, he supported Jackson’s opposition to the recharter of the Second Bank of the United
In later years, he stated his reasons for opposing a federally-chartered banking monopoly, explaining that the bank gave the rich too great an influence over the economy of the country and too much power within the government through its ability to corrupt Congress. He remained convinced that the bank was an attempt to establish a moneyed aristocracy which could use corruption to influence and control the government at the expense of the rights of all other citizens.

Houston carried this opposition to banks with him when he went to Texas. When Texas became a state, enough Texans agreed with him that they included in their 1845 Constitution a prohibition against the chartering of banks. As a result, during the period 1845 to 1865, Texas had only one chartered bank, McKinney, Williams, and Company, a firm which had obtained a charter from Mexico before the Revolution. Since that firm had helped the Texas government during its many financial difficulties, the Texas Congress reconfirmed its charter, thus allowing it to continue to function until 1858, when adverse state legal decisions forced it to close. With only one chartered bank, small private bankers and individual money lenders performed most banking operations in Texas, and the state simply did not have enough financial resources to handle the growing needs of business and agriculture.

During the years of the Republic, Texas actually had an
even worse situation, although for a somewhat different reason. The Constitution of the Republic permitted banks, and Congress actually chartered a few, in addition to renewing the charter of McKinney and Williams. None of these banks, however, managed to raise the necessary capital to begin operations under their charters. Because of the lack of funds, even McKinney and Williams operated only a private bank until 1847. With no chartered banks in operation, Texas had two difficult problems: a shortage of banking services, plus a lack of banknotes which could serve as the country’s money.\textsuperscript{46}

As a proper Jacksonian, Houston thought that all money should consist of gold and silver, plus bank notes which were one hundred percent backed by specie.\textsuperscript{47} Since Texas imported more than it exported, both hard money and the paper money of sound U.S. banks flowed out of the country, leaving only paper money of dubious value in circulation within the country.\textsuperscript{48} With the Panic of 1837 causing specie shortages in the United States during most of the years of the Republic, Texas continued to experience a severe shortage of specie and sound paper money until annexation.\textsuperscript{49} To fill the gap, Congress and Houston turned to the only other alternative which they considered possible: government-issued paper money.\textsuperscript{50}

Despite his negative view of banks, and unlike some other Jacksonians, Houston did understand how paper money
should work. He realized that it should meet two requirements: limited quantity and proper backing. The quantity should not exceed the amount necessary for trade and commerce, or its value would rapidly depreciate. Since specie could not serve as its backing in this situation, he concluded that some sort of government pledge to support the currency had to take its place. The pledge to use the revenue from one source (land sales, direct taxes, or customs duties) for that purpose, and that purpose only, when combined with the acceptance of the currency in payment of government obligations, could provide sufficient backing, but only if the government faithfully kept its pledge. He knew that under certain circumstances, a rigid control on the quantity could work by itself, but maintaining such a control could prove almost impossible.

When Texas began to implement this scheme, Houston found out the hard way that Congress neither understood the theory as he did, nor appreciated his attempts to maintain the rigid control of supply which paper money required. The legislators refused to provide any pledges to back the currency, and they frequently increased the quantity beyond the amount necessary for commerce. As a result, Houston engaged in numerous battles with Congress to try to restrict the amount of issue, but with only partial success. During his first term as president, although he kept trying, he had a difficult time keeping the money from depreciating.
While Houston was out of office between 1838 and 1841, Mirabeau B. Lamar removed all controls and issued several millions of dollars in paper currency, thus depreciating the money to very low values and virtually destroying the Texas economy. When Houston returned for his second term, he had to demonetize the old currency, turn it into long-term debt, and then start all over again with a new currency. This time, although he had difficulties, he did better at keeping its value up. Although the value of the new currency started at a highly discounted rate, Houston’s steady economic policies gradually restored public trust, and the money gradually rose in value, approaching close to par by the end of his administration. By comparison with Lamar, even Houston’s partial success seemed spectacular.

In the middle of all this controversy, Houston failed to notice that his bank and money theories had actually crossed over from his usual negative approach to economic policy to a positive position. Despite his disapproval of government programs to solve people’s economic problems, he actively participated in this paper money scheme, which produced many unhappy consequences for the very people that he wanted to protect. This positive, or activist, approach to the money problem reached its peak when he dealt with the other types of paper money circulating in Texas. As he began to build up the value of the government-issued currency, he found that the other currencies which Texans
were using hampered the general acceptance of the official one.⁵⁷

Because the Texas currency had become so worthless, the people had resorted to a variety of other monies, including foreign bank notes and corporation notes.⁵⁸ To improve the value of the official money, Houston asked the legislature to outlaw all other currencies. Although he included among his reasons the desire to protect Texans from frauds and bank failures, he ignored the fact that some people were simply exercising their right to regard the private money as more valuable than the government money.⁵⁹ He even engaged in a heated effort to destroy the small denomination bills which merchants had created simply to serve as change.⁶⁰

In a few other areas of economic policy, Houston actually pursued a positive policy at all times. For example, he believed that the government should actively seek to help anyone who suffered harm as a result of one of the government's own actions. When the state of Tennessee issued paper currency which forced all prices up and disrupted economic calculation, Houston recommended that the state should try to relieve the suffering by suspending payments for those who owed money for land purchases from the state government.⁶¹ When financial negligence by Texas agents was responsible for an individual's loss, Houston believed that Texas should repay that loss.⁶² When the U.S. government took over much of the land in the city of
Washington and thus deprived the city government of the taxes needed to support normal city services, he suggested that federal tax money should defray part of the city expenses. 63

Houston also adopted a positive attitude toward paying people who worked for the government. When the depreciation of Texas money caused government employees to suffer, or when the emptiness of the treasury meant no pay at all, Houston repeatedly urged Congress to rectify the situation. 64 While serving in the Senate, he urged the government to pay in full a man who had not received a regular appointment to office, but had worked long and hard at the job. 65 At all times, he maintained that a man’s politics should not affect his rate of pay, stating that all persons should receive proper compensation if they rendered service to the government. 66 During his years in the U.S. Senate, he even supported the idea that all clerks of equal rank within the government should receive equal pay. 67 Finally, he championed the cause of anyone killed or disabled in the service of his country, calling many times for liberal pensions for military officers and their widows. 68

For Houston, internal improvements represented the most extreme case of positive economic policy that he would willingly defend. Although that position was extreme by his standards, many of the politicians of his own day, such as
Henry Clay, went much further. Like his friend and mentor, Andrew Jackson, Houston assumed a somewhat vague position on the subject. In general, he argued that governments could support internal improvement projects for only two reasons: to provide better transportation for defense and to improve access to markets for commerce. He believed in encouraging the useful arts, and strongly opposed any government project which did not have an immediately useful end. For example, he opposed sending out purely scientific expeditions at government expense, because he felt that they encouraged people to pursue unproductive ventures.

If a project fell into one of his two permissible categories, Houston had two further questions: who should build such projects, the national government or the states, and how large should they be? On the national vs. state issue, he usually argued that the federal government should only support improvements which involved national defense. Indeed, he often sharply criticized federally-funded projects on the grounds that they were unconstitutional without the justification of defense, and thus only the states should develop them. On other occasions, he seemed to believe that the federal government could justify commercial projects which were national in scope. At one time, he even suggested that the federal government could pursue a project which would tie the country together by
giving the people common financial interests. On the question of size, he usually maintained that governments should develop internal improvements of a modest scope, but on a few occasions he favored projects of a massive size, such as a federally-supported railroad to California.

Despite his reservations about what constituted a proper internal improvement, Houston supported the funding of a wide variety of such projects, on both the state and national level. Many of them had commercial objectives, on the theory that a government which pursues an enlightened and liberal policy will bring prosperity to its people by attracting both successful industries and talented workers. First and foremost he desired projects to improve the transporting of agricultural products to market. In order to improve land transportation, he supported the building of roads, turnpikes, bridges, and railways. In order to improve transportation on inland waterways, he proposed the clearing of river channels and the constructing of canals. In order to improve transportation by ocean-going vessels, he suggested improving harbors and constructing lighthouses.

Of all the commercial projects, Houston supported the railroads more than the others. Even as early as 1827, while governor of Tennessee, he voiced his support for government assistance to them. During the years of the Republic, he had little to do with the railroads, although
Congress did grant a railroad charter in 1836. In the Senate, he became an enthusiastic promoter of the Pacific railroad project. Although the project seemed to strain his constitutional principles, he gave numerous speeches favoring federal support for the project. Although he usually argued that only military reasons justified the project, he sometimes wavered on that point, because he believed that the financial rewards would benefit all the Union. As he said in 1859, commercial reasons do not justify the idea, but neither do they disallow it.

During the 1850s, Houston also favored the idea of the state of Texas assisting the growth of the railroads, primarily through giving land to them for each completed mile of track. He tempered that support with many recommendations of caution. In 1853, he pointed out that Texas had issued many worthless railroad charters which it should repeal. In 1854, he argued that railroads should have to show better evidence of solvency before receiving a state charter. In 1855, he asserted that the business had too many swindlers, with the result that railroads had completed only twenty-two miles of track in Texas in the previous fifteen years. When he became governor in 1859, he continued the program of giving land to the companies for completed miles of track, but he also stated that Texas must guard against fraud on railroad charters.

Although he favored mostly commercial projects, Houston
did support other types of internal improvements. The most important program that he placed in this category was public schools, which most modern observers would hardly classify as internal improvements. He saw them as projects to eradicate ignorance among the common people so that they would have an equal opportunity to succeed in life.  

Although he recommended a liberal system of free public schools, he believed that the system should at first handle only basic education. He firmly opposed providing higher education to the favored few at the expense of the masses. Until the state could afford to provide higher education, and until the children of the masses were prepared to use state universities, he believed that private enterprise should provide advanced institutions.

Houston's support for projects to improve the lot of the common man did not stop with public schools. At one time or another, he backed a wide assortment of ideas which had little in common besides the positive effort to help people. As governor of Tennessee, he favored building a state hospital at Memphis for relief of sick people who travelled the Mississippi River. During his Senate years, he advocated that the government continue a program to distribute seeds, plants, cuttings, and agricultural information to farmers in order to improve their economic situation. In other Senate speeches, he supported the continued use of free mailing privileges for Senators on the
grounds that the government should inform the people about governmental activities at public expense. As the governor of Texas, he wanted to create a geological survey service and agricultural bureau in order to better serve the interests of the farmers.

In short, Houston normally adopted a very cautious approach to economic policy, trying to keep the government from disrupting the lives of its citizens or violating their rights in any way, while occasionally taking actions which might make their activities safer or more profitable. His only apparent contradictions on economics arose when he went beyond his normal limited view to a positive approach, either in his efforts to protect the people from the evils of the financial interests, or in his desire to help them better themselves. With such an approach, he found little difficulty in arguing for low government expenditures. Since he believed in spending as little as possible, he quite naturally held the complementary view, that the government should keep revenues low as well.

For Houston, the question of paying for government resolved into a matter of finding a few consistent and reliable sources of revenue. As a consequence, he found the theory (but not the practice) of government finance far simpler than any area of economic policy. He believed in spreading the burden of supporting the government evenly among all the citizens of the country. Ideally, he wanted
an even mixture of four sources of revenue: customs duties on imports, which hit the well-to-do merchants and those who imported goods the hardest; direct taxes on property, which hit small farmers and workers the most; land sales, which took a heavy toll from the frontiersmen; and simple fees on services, which required those who used a service to pay for it.  

During his years in the U.S. Congress, the federal government raised most of its revenue from customs duties and land sales, with direct taxes and simple fees making only minor contributions. The few comments that he made on federal revenues indicated that he probably found acceptable the reliance on revenue from customs and land. That general acceptance of revenue policy did not, however, mark his years as president of Texas. Although he made a concerted effort to implement his ideal mixture for the government of the Republic, a combination of hard times and Congressional resistance made that effort difficult from the first, and impossible in the end. Each of his favored revenue sources failed to provide enough money to keep the government of Texas functioning.

Of his four preferred sources, Houston probably relied most on tariffs. Throughout his years in public office, he considered them a good source of revenue. Although he once favored raising the tariff to a level which would protect infant industries, he opposed making the levels so
high as to cut off trade and thus lower revenues. He hated what he called an onerous and oppressive tariff, because it gave manufacturing capitalists a monopoly which hurt the average man by raising the prices which he had to pay for goods. He sincerely believed in a fair and liberal trade with all nations, and, during his years as president of Texas, he pursued that goal by trying to obtain commercial treaties with most of the major trading countries. Unlike some Jacksonians, he did not believe in free trade, preferring instead moderate tariff rates which encouraged trade while maximizing revenue. Only when Texas became a part of the Confederacy did he advocate admitting foreign goods duty free, and even then only because he thought such a policy would improve the Confederacy's foreign relations.

During Houston's first presidential term, the tariff contributed only moderate amounts to revenue, because Congress was slow to enact tariff laws which contained adequate provisions for administration and enforcement. In his second term, he succeeded in making the tariff the foundation of government revenue, although a majority of Congress wanted to decrease tariffs significantly or repeal them entirely. Between 1842 and 1844, he fought Congress over the issue, eventually vetoing a bill providing for a significant decrease in rates. Even though Texas desperately needed the money, and no other sources of
revenue had emerged, Congress came very close to overriding the veto.\textsuperscript{109} Because smuggling was common in east Texas, he also pleaded with Congress to pass laws to keep people from evading the payment of customs duties, but it refused to enact such laws.\textsuperscript{110}

In the areas of direct taxes and land sales, Houston had much the same attitudes and results. Although the U.S. government did not use direct taxes during the antebellum period, Houston vigorously supported their use by both the Republic and the state of Texas. Especially during the early 1840s, when the government had very little revenue coming in, he urged Congress to pass laws tightening the collection of property taxes. Instead, the legislature effectively repealed direct taxation, making the situation even worse.\textsuperscript{111} As for land sales, although the U.S. did use land sales to raise a significant percentage of its antebellum revenue, Texas never managed to duplicate that feat.\textsuperscript{112} Although Houston had a wide range of goals that he wanted land to accomplish, he definitely included government revenue among those goals.\textsuperscript{113} Partly because Congress wanted a cheap land policy, and partly because Texans could not afford to pay much for land during the early 1840s, Houston failed to get the Texas Congress to help in raising significant revenue through land sales.\textsuperscript{114}

Simple fees yielded the same disappointing results. Houston believed that the government should charge people
for the services that they used. For example, he recommended that the land office should charge fees which would cover the expense of maintaining the office.\textsuperscript{115} He also suggested that Texas consuls charge a fee to those people who wanted permission to visit Texas.\textsuperscript{116} Unfortunately, during the years of the Republic, fees provided little help for the economic problems of the government.\textsuperscript{117}

With the combined revenues of all four of his preferred sources unable to support the government of the Republic, Houston faced one financial crisis after another during both of his terms. During his first term, the government had so little money coming in that it could not pay the officers of government.\textsuperscript{118} The government limped along only because Houston kept expenditures at moderate levels and gave paper currency to creditors.\textsuperscript{119} When Lamar succeeded him in 1838, his administration spent huge sums of money, much of it in the form of paper money which rapidly depreciated in value. The results included high taxes and the destruction of government credit.\textsuperscript{120}

When Houston returned to office in 1841, he found no money in the treasury and a debt of over twelve million dollars. He cut taxes and expenditures, eliminated many government jobs, and suspended payment of the debt.\textsuperscript{121} Texas was in the middle of a depression, so these changes did not produce an immediate turnaround; they just allowed
the government to survive. Many government departments had no money with which to continue their work. During 1843 and 1844, Houston kept expenditures at a bare minimum, so the meager revenues proved adequate to support the government. He established a new currency and managed to raise its market value gradually, and he even had a small surplus in the treasury when he left office in 1844.

In order to deal with the disastrous financial situation of the Republic, Houston turned to three sources of revenue which he normally would have rejected. Indeed, he found all three sources somewhat distasteful, partly because they signified the failure of his efforts to maintain a balanced budget, and partly because they involved the government with bankers, speculators, and money lenders, the very money men whom he found so untrustworthy. The three sources were short-term borrowing, fiat money, and long-term debt, but in the Republic of Texas, the monetary situation became so complicated that the boundaries that usually distinguish those three revenue sources became blurred. Nevertheless, Houston treated them as three separate sources, and he resorted to them in succession, only after the preceding one had failed to stem the tide of advancing insolvency.

Houston and the Texas Congress first turned to the expedient of short-term borrowing. During his first term, his administration managed to sell a few bonds in Texas and
to obtain a few personal loans, but very few people in Texas had any money to loan, so Houston turned to foreign sources. With Congressional authorization, from 1836 to 1838 Houston had representatives in the United States and in Europe trying to negotiate a five million dollar loan. With the U.S. money market depressed by the Panic of 1837, they obtained only one loan of approximately $450,000. Since the European countries had yet to recognize them, their lack of success there came as no surprise. The failure to borrow substantial sums continued through all of Lamar’s administration. During his second term, Houston tried again. At times, Texas representatives sought a one-million-dollar loan, and at other times they asked for just a small amount, but from 1841 to 1843 they enjoyed no success at all. By 1843, Houston was ready to give up, but he had the representatives make one last try, still with no result. In short, eight years of effort had produced less than half a million dollars in loans.

When borrowing did not work, Houston and the Congress turned to paper money which the government backed only with its promise to pay in specie eventually. Since the government had few prospects of paying anytime soon, the paper quickly assumed all the characteristics of fiat money. Houston was one of the few people of his era to understand the difference between a controlled, backed paper currency and an unlimited, unsupported paper money.
Although he believed that government-issued money should serve only as a circulating medium for trade, Houston found himself trying to serve the quite different purpose of providing the government with something to spend. This conflict between what he saw as a legitimate economic policy and a dubious finance method caused him and the country no end of grief. Initially, Texas avoided issuing true paper currency by arranging to sell land scrip. The scrip entitled the bearer to select land from the public domain, and the government did not intend for the scrip to circulate as money.  

Because Texas had so much available land, the scrip only brought fifty cents per acre, and it did not sell well at that price because it had to compete with land certificates given to discharged soldiers. In addition, Houston had endless problems with the agents who sold the scrip, because some of them did not turn in the money that they received, and some violated the law by selling the scrip on credit. Eventually, the abundance of problems and the lack of revenue led Houston to discourage the sale of the scrip.

Since the land scrip did not work satisfactorily, Houston and Congress decided to try treasury notes, or promissory notes, which were promises to pay in specie, and earned 10 percent interest until redeemed. The government issued them directly to its creditors and intended for them to circulate as paper currency, which they
did, eventually acquiring the name "star money." Although he supported their issue, Houston saw their fatal flaw immediately. The notes served two purposes at once: a circulating medium for trade and a means for the government to pay its bills. As Houston foresaw, Congress would not allow the country's need for a stable circulating medium to stand in the way of paying as many bills as they could. Although Houston tried to keep Congress from issuing too many of the notes, he only partially succeeded, and the notes depreciated significantly. By the time that he left office, the government had over a million dollars of "star money" in circulation.

Mirabeau B. Lamar did not have Houston's scruples about fiat money, so his administration entered into the true spirit of that type of currency. With the approval of Congress, he issued a new type of promissory note which did not bear interest, and the public soon dubbed them "redbacks." In slightly less than two years, between 1838 and 1840, Lamar's administration issued almost $2,800,000 of the "redbacks," and they quickly depreciated in value, at one point reaching two cents on the dollar. By 1840, many parts of the Republic did not use them at all, except to pay the government, and the government could get creditors to accept them only by issuing them at the depreciated market value. Fortunately for Texas citizens, the Texas Constitution contained a provision
prohibiting legal tender laws, so Congress could not require people to accept its paper money.\textsuperscript{141}

When Houston returned to the president's office in 1841, he immediately called for the issuance of a new currency, in very small amounts, to replace the discredited "redbacks," which would become long-term debt.\textsuperscript{142} Congress approved, and Houston began paying creditors with a new promissory note which he called "exchequers."\textsuperscript{143} Over the next few years, Houston kept strict control of the amount in circulation by refusing to issue any more of the notes than absolutely necessary.\textsuperscript{144} By following strict economy measures, he gradually convinced the people that the government meant business this time, and they gradually began to accept the new money.\textsuperscript{145} Although he had occasional disagreements with Congress over these policies, he had fewer such problems than during his first term.\textsuperscript{146} As a result, during the three years of his term, plus the one year of his successor, Anson Jones, the government issued only about $150,000 of the "exchequers."\textsuperscript{147}

To improve the money's market value, Houston also tried to take as many notes out of circulation as possible. Since the government accepted the notes at market value for taxes, customs, and other government obligations, he pressured government employees to interpret that market value at a fair but low level, in order to retire as many of the "exchequers" as possible.\textsuperscript{148} All his efforts paid off.

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Although the "exchequers" had a rough beginning, sometimes trading as low as twenty five cents on the dollar in 1842, they improved steadily and reached par by 1844 or 1845.\textsuperscript{149}

This difficult experience with fiat money exposed many of Houston's virtues in economic matters, but it also revealed a few of his weaknesses. Although he understood that the people's lack of confidence in the money hurt its value, at times he blamed speculators for driving the market price down.\textsuperscript{150} When Texas joined the Confederacy in 1861, and the Confederate government began to create its own fiat money, Houston did not seem to understand all that had happened to him twenty years before. On the positive side, he sharply criticized the Confederacy for forcing people to take its currency at par when it no longer traded at that level, and then refusing to accept it at par in payment of taxes.\textsuperscript{151} On the negative side, he blamed excessive depreciation of Confederate currency on speculators and greedy merchants.\textsuperscript{152} No matter how many times he saw market forces at work, he often blamed a few evil money men for trying to make a speculative dollar, instead of excusing many average men for simply trying to protect themselves against the rapidly declining value of the paper currency issued by the government.

The most important lesson that he learned from the experience was that fiat money had backfired badly on the Republic, so Houston and Congress resorted to their final
source of revenue: long-term debt. Since he believed that a government should keep its expenditures and revenues in balance, and thus stay out of debt, this situation must have caused him serious misgivings.\textsuperscript{153} Not long after his mentor, Andrew Jackson, had considerably reduced the debt of the United States, he had to develop ways to increase the debt of Texas in order to keep the country functioning.\textsuperscript{154}

The revolutionary governments started off the Republic with about one and a quarter million dollars of debt, and Houston’s first administration added considerably to that total. Mirabeau B. Lamar then moved the process into high gear, adding somewhere between six and ten million more. Although Houston was fond of blaming Lamar for most of the debt, his first administration must share at least a small part of the blame for the ten million dollars added between 1837 and 1841.\textsuperscript{155} Thus, when Houston began his second term in 1841, he had a debt of over twelve million dollars with which to deal.\textsuperscript{156} Happily for Texas, Houston’s second administration added very little to the already impressive total.\textsuperscript{157}

Between them, Houston, Lamar, and Congress contrived at least five different ways to create long-term debt. First, Houston and the others allowed unpaid claims (especially from the revolutionary days) to simply accumulate until Texas finally acknowledged them as debt after annexation. Second, Houston could not repay the only foreign loan which
his administration obtained, so it became a very long-term loan. Third, the Houston administration signed a contract for the construction of new ships for the Texas Navy. When the Lamar administration received the ships, it issued short-term bonds to pay for them. Since Texas did not pay off the short-term bonds within a year, they became long-term bonds at double the amount. Fourth, during the latter part of Houston’s first administration, Congress provided for issuing bonds in exchange for some approved claims. As a result, some creditors received long-term bonds rather than promissory notes.\textsuperscript{158}

The fifth method involved the largest single portion of the debt and resulted from the paper currency, Houston’s "star money" and Lamar’s "redbacks."\textsuperscript{159} Since the government had no hard money, and had few prospects of obtaining any in the near future, it could not redeem the outstanding currency.\textsuperscript{160} The Republic could have simply repudiated all the old currency, on the grounds that the market place had declared it nearly worthless and the government ought to recognize that economic fact of life. Houston did not seriously consider such a step, and Congress recognized the depreciated currency as a long-term debt which it pledged to repay.\textsuperscript{161} Houston proudly proclaimed that Texas had not betrayed those who had advanced it money, even when some of the transactions had violated the law.\textsuperscript{162} He frequently pointed out that, under similar circumstances,
the United States had repudiated $240,000,000 in Continental currency, and maintained that Texas never would take such a step.\textsuperscript{163}

By the end of the first year of his second presidential term, Houston regarded the matter as settled. Since Congress had essentially told its creditors that they would all have to wait, Houston regarded the debt situation as akin to an informal agreement between the government and the creditors. For the rest of that term, Houston had numerous conflicts with Congress over maintaining the terms of this informal agreement. He vetoed bills which would in any way change the nature of that agreement, including any provisions for the payment of one particular creditor, on the grounds that such actions showed partiality and seriously endangered the credibility of the agreement.\textsuperscript{164}

When he left office in 1844, the debt remained stable but unpaid. When annexation finally took place in 1845 and 1846, the United States did not assume any of the Texas debts.\textsuperscript{165} Finally, in 1850, the U.S. agreed to pay Texas ten million dollars in bonds in return for Texas relinquishing its claim to eastern New Mexico, with the additional condition that Texas must use the money to repay its debts. The U.S. government kept half of the bonds in a special fund until Texas had satisfied all the claims.\textsuperscript{166}

With the money finally available to pay the debt, a new controversy flared up, with Houston right in the middle of
it. Since 1844, he had argued that Texas should only repay the debt at equivalents, not at par, by which he meant that many investors had given Texas goods, services, and money at a discounted rate, and Texas should repay them at the same rate. For example, when the government released a new batch of paper currency, it paid those who received it based on the market rate. If the going rate for Texas currency was twenty cents in gold for each paper dollar, government suppliers or creditors received five times the amount in paper dollars.\textsuperscript{167} Using these ideas, the Texas state government scaled down the debt, assigning the amount of payback based on the discount rate at the time that the debt originated.\textsuperscript{168}

Some of the creditors accepted this arrangement, but others did not, arguing that the principle of equivalents ignored the risk involved in accepting any Texas debt during those years. In 1853, many of them appealed to the U.S. Congress, demanding payback at par out of the five million dollar reserve fund that the U.S. government still held.\textsuperscript{169} That action moved Houston to great heights of oratorical outrage. Never a friend of speculators, he saw this action as a scheme to enrich men who had acquired the Texas notes at bargain basement prices.\textsuperscript{170} Since many of the men who now owned the debt had acquired it from the original owners at the rate of three to five cents on the dollar, he could see no justification for their receiving reimbursement at
In the case of the "redbacks," for example, Houston argued that even those who had originally received them would receive fair value at twenty cents on the dollar, because Texas issued most of those notes at a discount of ten to sixteen cents. He maintained that those who had not helped Texas in its time of need should not profit from its improved circumstances, that the U.S. should allow Texas to settle her own debts, and that Congress should not interfere to benefit speculators. Despite these arguments, Congress voted against his position. As a result, the debt holders received a high percentage of face value, which took all the funds in the reserve, and the state of Texas received none of that money.

Unfortunately, the Texas state legislature quickly spent all of the first five million that it had received in the first settlement. As a result, when Houston became governor in 1859, the state again faced money problems. He requested an increase in taxation to avoid going into debt, but the legislature adjourned without taking action on money needs, so the state was bankrupt. With both Indians and Mexicans attacking the frontier, Houston resorted to expensive defensive measures. In order to pay for those measures, he once again turned to the financial method which he hated the most: debt. He had the treasury department issue treasury warrants, which were interest-bearing debt
instruments.\textsuperscript{178} When the treasury failed to redeem the warrants, they began to depreciate.\textsuperscript{179} Although he asked the state legislature to solve this new debt problem by providing for the retirement of these warrants, it had done very little by the time that the secession crisis forced Houston from the governor's office.\textsuperscript{180}

Thus, Houston ended his days of governing Texas doing much the same as he had during many of years of the Republic. For a man who advocated the ideal of a limited government, with limited powers, limited expenditures, and limited revenue, his experiences with Texas finances must have proven incredibly trying. Although he did reasonably well under the circumstances, he expended a great amount of effort simply trying to keep a bad situation from turning into a disaster. If Texas had enjoyed a better financial position, perhaps he could have demonstrated the quality of his views on economic policy and government finance. Instead, he showed that a combination of his views and his determination could save Texas from economic calamity, but not give it the economic prosperity that he so earnestly wished for its people.
Notes

1Amelia W. Williams and Eugene C. Barker, eds., The Writings of Sam Houston, 1813-1863, 8 vols. (Austin: University of Texas Press, 1938-43), 3:141. Although most scholars refer to these documents by specifying the date and the people involved with a letter or speech, this work emphasizes the idea content of Houston’s writings, and thus regards such details as of little importance to the analysis. As a result, all references to the writings contain only volume number and page number.


3Williams and Barker, Writings, 4:409.

4James, Raven, 18-23; Marion Karl Wisehart, Sam Houston, American Giant (Washington, D.C.: Robert B. Luce, 1962), 64-5, 78-83; Llerena B. Friend, Sam Houston: The Great Designer (Austin: University of Texas Press, 1954), 351.

5Williams and Barker, Writings, 5:458.

6Wisehart, American Giant, 563-4.

7Williams and Barker, Writings, 8:102.

8Ibid., 8:341-4; Wisehart, American Giant, 642.

9Williams and Barker, Writings, 7:65, 7:115, 7:346.


12Ibid., 5:387.

13Ibid., 7:17.

14Ibid., 2:351.

15Ibid., 7:418.

16Ibid., 7:421.

17Ibid., 7:363.

18Ibid., 7:17, 7:351.
19 Ibid., 6:441-2.
20 Ibid., 7:449-51.
21 Ibid., 2:257-60.
22 Ibid., 7:104-8.
23 Ibid., 7:65.
24 Ibid., 2:112.
25 Ibid., 2:112-3.
27 Ibid., 2:387.
28 Ibid., 7:70.
29 Ibid., 7:368.
32 Ibid., 5:388-95.
33 Ibid., 2:416, 2:420.
34 Ibid., 2:437.
36 Ibid., 5:149-52.
37 Ibid., 8:90-2, 8:94-5, 8:96-8, 8:108-9, 8:171, 8:175, 8:177.
38 Ibid., 2:429, 2:437.
40 Williams and Barker, Writings, 1:234, 1:258.
41 Ibid., 5:82.
42 Ibid., 5:373.


47 Williams and Barker, *Writings*, 4:404.


51 Hammond, "Jackson’s Fight," 8-11, 300-3.


53 Ibid., 2:220-4, 3:526; Hjalmar Schacht, *The Stabilization of the Mark* (New York: Adelphi, 1927). The Schacht book provided an excellent illustration of the problems involved in trying to keep the amount of paper currency under strict control. Schacht’s case involved stopping the runaway inflation in Germany in the early 1920s, and it occurred eighty years after Houston had described many of the same problems in Texas in the early 1840s.


57 Ibid., 295.
58 Ibid., 295-7.
61 Williams and Barker, *Writings*, 1:119.
63 Ibid., 7:62, 7:64, 7:66.
65 Ibid., 5:64.
66 Ibid., 5:358.
71 Ibid., 8:102.
72 Ibid., 7:110-1.
76 Ibid., 3:3.
78 Ibid., 1:278.
79 Ibid., 3:474.
81 Ibid., 5:73, 7:19-22.
82Ibid., 1:116-7.


85Ibid., 7:220-1.

86Ibid., 6:105, 7:368.

87Ibid., 5:453-4.

88Ibid., 6:105.

89Ibid., 6:181.


91Ibid., 1:120-1, 4:404.

92Ibid., 6:13, 7:363.


94Ibid., 1:110.


96Ibid., 7:156, 7:301-3.

97Ibid., 7:419.


100Williams and Barker, Writings, 3:5, 5:117, 7:114.


102Williams and Barker, Writings, 3:5, 4:246-9.

103Ibid., 3:3-5.
104 Ibid., 5:79, 5:118.
107 Ibid., 8:315, 8:325, 8:332.
115 Williams and Barker, Writings, 2:445.
118 Williams and Barker, Writings, 2:105, 2:113-4, 2:154.
120 Williams and Barker, Writings, 2:351; Miller, "Money," 296-7.
122 Ibid., 3:27; Miller, "Money," 297.


128 Williams and Barker, *Writings*, 2:393.


130 Ibid., 3:472, 4:164.

131 Miller, "Money," 298.


133 Ibid., 2:69, 2:145.

134 Ibid., 2:73, 2:177-8.


141 Ibid., 294.


Miller, "Money," 299.


Ibid., 8:317.

Ibid., 8:337.

Ibid., 2:154, 2:365.


Williams and Barker, *Writings*, 2:393, 3:80, 5:382; Webb, *Handbook*, 1:477-8. Although the Lamar administration incurred much of the ten million dollars of debt, some of it resulted from programs begun in the Houston administration. The navy debt is a good example, since Congress passed the authorization for constructing the new navy during the final year of Houston’s first term, but the ships and resulting debt arrived in Texas during Lamar’s years in office.


Ibid., 1:477-8.


166 Ibid.
171 Ibid., 5:378, 5:405-6.
172 Ibid., 5:379.
175 Williams and Barker, *Writings*, 7:413.
176 Ibid., 7:467-71, 7:495.
177 Ibid., 7:408-16.
178 Ibid., 7:514-7, 8:65, 8:68-9, 8:71, 8:242.
179 Ibid., 8:243.
180 Ibid., 8:240, 8:252, 8:259-62, 8:274-88.
CHAPTER 10

CONCLUSION

The popular view of Sam Houston sees him as a military hero and a popular politician, a dynamic and pragmatic man of action, important mainly in the early days of Texas history. Although a few exceptions exist, most historical works portray him in a similar fashion. Some survey textbooks in American history discuss only his victory at San Jacinto and his two terms as president of the Republic of Texas, while others add only brief mentions of his Tennessee background and his efforts to obtain U.S. annexation.\(^1\) In general works on various aspects of antebellum history, Houston usually appears as a minor figure, with little importance outside of Texas.\(^2\) Although he closely associated his career and his ideas with Andrew Jackson, the major works on Jacksonianism barely recognize his existence.\(^3\) The large body of literature which does deal extensively with Houston normally covers only isolated periods or aspects of his career, such as his policies towards the Texas Indians, or his attitudes towards the Texas Navy.\(^4\) As for the numerous biographies, many of them concentrate on his glorious actions, while the best two portray him as either an honorable hero or an ambitious loner.\(^5\)

While this traditional portrayal certainly contains a
great deal of truth, it neglects an important part of both Houston’s story and America’s story. During a public career which lasted from 1813 to 1861, he held an unusually wide range of positions, including teacher, U.S. Army officer, Indian subagent, lawyer, attorney general, U.S. Congressman, governor of Tennessee, unofficial representative of the western Cherokees, major general of the Texas Army, president of the Texas Republic, member of the Texas House, U.S. Senator, and governor of Texas. Thus, he had ample opportunity to write and speak on a wide variety of subjects, and many of his documents, letters, and speeches survived to appear in an eight-volume, 4,164-page collection of his writings. A careful analysis of these writings reveals a man who clearly understood and expounded a political philosophy. Although he certainly did not originate any political principles, he did grasp the fundamentals which he learned from others well enough to apply them to new situations during his career. In the process, he provided an excellent illustration of Jacksonianism in action.

Houston usually identified his basic philosophy as Jacksonian Democracy, although he occasionally called it Jeffersonian-Jacksonian Democracy. He never wrote an essay in which he explicitly stated the foundation of that philosophy, but he made enough passing comments and chance remarks to indicate what he thought. Essentially he adopted
the Jeffersonian-American Enlightenment attitude as his base, and then built Jacksonian-democratic beliefs on top of it. He believed that morality should form the basis for both political and social organization, and he asserted that morality derived from the teachings of the Christian religion. Despite this religious beginning, Houston saw no conflict between moral principles and everyday life in the real world. For him, knowledge should derive from experience with nature, with humans applying reason to reality to determine facts and to deduce rational principles of conduct. While praising rational principles, he specifically rejected passions and prejudice as sources for human conduct, and he soundly condemned expediency as the enemy of moral behavior.

With morality as his starting point, Houston went on to name individual rights as the primary reason for government. Still following in Jefferson's footsteps, he argued that life, liberty, and property constitute the fundamental rights of each person, and that protecting those rights constitutes the purpose of government. Agreeing with both John Locke and the American founding fathers, Houston maintained forcefully that any government which does not protect individual rights has failed, and the people have the right to revolt against it. Since he held that governments should concern themselves with rights, he also adhered to the concept of a limited government.
government may not infringe upon people’s rights, and if it does, it again violates its fundamental purpose. Thus, for Houston, the government can fail in two ways: by simply not protecting rights, which leads to anarchy, or by violating rights, which leads to despotism. Throughout his career, he regarded anarchy and despotism as his two worst enemies.

For the rest of his political philosophy, Houston switched from Jefferson to Jackson, from whom he acquired his love for democracy. With few limitations, he believed that the will of the people should determine the nature of the laws and the people who governed. He wanted the franchise expanded to include virtually all male citizens, with no property qualifications, and few other restrictions, on who should vote. Just like his mentor Jackson, he regarded the aristocracy as the enemy, and he opposed special privileges for any group. After defining a republic as simply a representative democracy, he argued that a representative should do all that he can to represent the actual views of his constituents. Since he believed that the common people rarely make a mistake in electoral judgment, he believed that such a system would usually result in a government which promoted the common good of all people.

Still following Jackson’s lead, Houston concluded that the will of the people formed the basis for the sovereignty
of a government.\textsuperscript{25} When the individual states voluntarily joined the federal union, they created a union of the people, not of the states.\textsuperscript{26} Although he occasionally equivocated on this point, he normally argued that the confederation of states had become one nation and one people, indivisible unless the federal government provided the people with just cause for a revolution.\textsuperscript{27} He believed that the unity of the people provides strength, so he sought peace and harmony whenever possible, in order to hold that nation together in that position of strength.\textsuperscript{28} As a result, he often looked for common bonds to help to unite the nation. He liked to say that one people, of one race, with one culture, speaking one language, and worshipping one God, should remain united.\textsuperscript{29} In effect, the common traditions which many of the people shared should serve as a basis for continuing the government under which they lived.\textsuperscript{30}

Fortunately for Houston, this political philosophy contained many points which appealed to the people of his era, and his mixture of individual rights and unlimited democracy won many political friends until well into the 1850s.\textsuperscript{31} Unfortunately for Houston, this mixture contained some inherent contradictions which caused more and more difficulties as time passed. His most serious contradiction derived from the clash between his glorification of the rights of individuals and his praise of the virtues of
America's majority group, with the lack of rights for individuals in minority groups causing him no end of grief. A second serious problem lay in the clash between his belief in limited government and his support for unlimited democracy: he never succeeded in demonstrating that the rights of individuals should limit the will of the people.32

Throughout much of his career, Houston tried to keep these conflicts under control by carefully balancing the rights of individuals against the interests of groups. In some cases he tried to protect groups which very few voters had any interest in protecting. One such case involved the concepts of Manifest Destiny and Indian rights. Although the spread of the United States across the continent posed a continuing threat to the Indians, Houston enthusiastically supported both concepts.33 As the military leader of the Texas drive for independence and the political leader of the Republic of Texas, he virtually personified the doctrine of Manifest Destiny.34 For Houston, the essence of Manifest Destiny consisted of spreading free institutions across the continent to the Pacific Ocean.35 Since he regarded Mexico as alternately anarchic and despotic, he believed either Texas or the U.S. could justify depriving Mexico of its northern provinces.36 On several occasions, he even called for establishing a protectorate over all of Mexico.37

Despite his emphasis on the ideas of liberty and democracy, Houston did not believe that free institutions
stemmed from the adoption of those ideas, but rather from the superiority of the Anglo-American culture or the Anglo-Saxon race.\textsuperscript{38} He prized the white man's world above all others, and he deliberately chose it over that of the Indians.\textsuperscript{39} Nevertheless, he willingly spent a number of years living among the Indians, even investing the effort to learn the Cherokee language.\textsuperscript{40} He admired their way of life, respected their code of honor, and spent much of his public career trying to defend the rights of Indians against the injustices of the whites.\textsuperscript{41} While most Jacksonians supported the policy of removing Indians to the West, he tried to preserve peace between the races by getting the whites to honor Indian treaties, respect Indian laws, and keep off Indian lands.\textsuperscript{42}

The key to Houston's position lay in the question of ownership of the land. Although he sometimes admired the white man's love of the land, he more often condemned the greed for land which some whites displayed.\textsuperscript{43} Most whites believed in individual land ownership and sought to acquire their own plot for farm or home, while the red men believed that everyone should share the land.\textsuperscript{44} In theory the Indians did not think anyone could own the land, but in practice the tribe which occupied a given area acted as if the whole area belonged to the whole tribe as a group.\textsuperscript{45} He believed that a workable solution would consist of the whites taking part of the land while the government set
aside large reservations of good land for the Indians. Inside the reservations tribal laws and customs would rule, and the government would actively work to keep whites off the Indian lands.

Although Houston did enjoy some success in implementing his solution while president of Texas, he only succeeded in maintaining an uneasy peace with the Indians because of the constant demand by whites for more land. In a way he contributed to this problem with his land policy. While others argued over how to establish land ownership, he took a nationalist stand on the distribution of land. Since the government must establish sovereignty over an area by claiming it and defending that claim against all other governments, he asserted that the government should have the power to decide how best to use or dispose of the land. While he always maintained that the government must respect the rights of individuals holding prior land titles, he did not advocate land laws which would distribute vacant areas to individuals or groups who settled them. Instead, he maintained that the government should base its decisions on the needs of the government and on the interests of the people as a whole. As a result, he usually gave reasons of state for his various positions on land policy. He sometimes favored giving land to settlers and soldiers or selling it at low prices, but when he did, he argued that cheap land would attract settlers to promote defense or to
build the economy. At other times, he tried to keep some lands to use to generate revenue. Nevertheless, despite these reservations about cheap land, he cooperated with the policy which produced the flood of settlers who aggravated his Indian problems.

Houston's basic position on land ownership played a significant part in his involvement in yet another political controversy: the Texas boundary dispute. From 1836 to 1850, few politicians in Texas, Mexico, or the United States could agree on the location of the southern and western borders of Texas. As one of the first to advocate that Texas should claim all land north and east of the Rio Grande, Houston helped to create the dispute, and, as a U.S. Senator from Texas, he helped to settle it. From first to last he argued that Texas had put forth her claims, and the U.S., Great Britain, and France had essentially accepted those claims by not contesting them. Since only Mexico had disagreed, and her claims had vanished with her defeat in the Mexican War, the matter should end in favor of Texas.

Houston's opponents offered numerous objections to his reasoning, but the most telling one involved his most cherished principle: democracy. Although much of the disputed territory contained few occupants, Spanish, Mexican, and Indian settlers had lived in the area around Santa Fe for many years. When his opponents argued that these people did not want to become part of Texas, he used a
number of counter-arguments, but none of them acknowledged that the local inhabitants should have any choice in the matter. Eventually Texas lost the eastern New Mexico area, but the U.S. paid over ten million dollars in Texas debts to compensate the state for that loss. As he later said, the land claims paid off very well for Texas, but his attitude towards the local populace raised doubts about his dedication to democracy.

On the subject of military policy, Houston remained close to his limited government principles. Although he earned much of his fame as a military hero, he did not fit the stereotype of an aggressive military leader. In combat he displayed death-defying courage, actually leading his troops into battle and receiving serious wounds as a consequence. As a military strategist, however, he advocated defensive war over offensive war. During the Texas Revolution, he consistently recommended retreat, while everyone else shouted for attack. As a result, the governing council ignored him throughout much of the war, and he commanded troops only during the final campaign: his strategic retreat which led to the victory at San Jacinto. In both of his terms as president of Texas he pursued the same policies. Despite his distaste for the Mexican political situation, he constantly argued that Texas had neither the money nor the men to take aggressive action against Mexico, and he frequently tried to arrange peace
with that country. When Mexico mounted raids into Texas, he ignored the public outcry for retaliation as long as he could. When Indians raided the frontier, he usually refused to send out large punitive expeditions, calling instead for negotiating with the various tribes to establish peace. Only during the Mexican War did he support offensive action, arguing that Mexico would never admit defeat without it.

In addition to his normal opposition to offensive action, Houston always fought the idea of a standing army, regarding such a force as a threat to liberty and a drain on the public treasury. To provide for national defense, he supported the idea of a small regular army to garrison forts and to serve as a nucleus in the event of war. He believed that the country should rely on a large militia force, which the government could mobilize to face an invasion. If the war became a major conflict, the military could raise and train volunteer forces to meet the need. Throughout his political career, he remained true to this ideal. Despite spending five years as an officer in the peacetime army, he never had much good to say about such forces. As president of Texas, he kept the standing army as small as possible. As a U.S. Senator, he spoke out against all efforts to increase the size of the U.S. Army. When discussing frontier defense, he made many scathing comments on the army’s performance against the Indians,
maintaining that small groups of Texas Rangers could do a much better job.\textsuperscript{77} He even opposed the idea of military academies, arguing that West Point graduates would soon become a dangerous lobbying influence for increasing the power of the federal government.\textsuperscript{78}

In the area of military powers and military discipline, Houston also showed his attachment to limited government. He believed that the military should have a hierarchical structure, with all commands subject to one commander-in-chief, who in turn answered to the chief executive of the government.\textsuperscript{79} The proper civilian authority must control the military, and each man in the chain of command must follow all lawful orders.\textsuperscript{80} Although he thought that enlisted men should elect their own lower officers, he absolutely opposed democracy in the military.\textsuperscript{81} In addition, the military must respect the rights of civilians, including the right of property.\textsuperscript{82} He insisted that the military may seize private property only in very special circumstances, and then only with approval from higher authority.\textsuperscript{83} Throughout the years of the Texas Republic, he had never-ending problems with soldiers who exceeded their authority and refused to obey orders.\textsuperscript{84} When he tried to assume control of the Texas Navy, it simply sailed away and did not return.\textsuperscript{85} When he attempted to exercise his powers over the military as president of Texas, the Texas Congress made the matter worse by creating independent commands
beyond his control.  

Similar theories and similar difficulties also marked Houston's involvement with the questions of executive powers and constitutional government. Since he believed in limited government, he saw the Constitution as the vehicle for setting down explicitly the nature of those limits. He held the strict constructionist viewpoint, arguing that the government may not exercise powers that the Constitution did not specifically grant it. Since he always feared despotism, he constantly looked for government actions which he thought stepped over the constitutional line. As a chief executive, he wielded the veto ax frequently, arguing that despotism begins as a matter of small infringements which lovers of liberty must stop before they grow out of control. As chief executive, he even refused to exercise powers that he did not think he should have. Since he maintained that only constant vigilence could preserve freedom, he contended that a system of checks and balances must exist within the government.

For Houston, that system rested on the constitutional structure of three separate and equal branches of government: the executive, the legislative, and the judicial. Unless the three branches remained on equal footing, he thought that one branch would acquire a dangerous concentration of power. The legislature should make the laws, the executive should administer them, and the
judiciary should interpret them. Whenever any branch infringed on the domain of another, he reacted quickly to try to redress the balance. As the president of Texas, he engaged in a running battle with Congress on this issue. He argued that the chief executive must have control over the members of the executive branch, so that he can scrutinize their conduct and insure their proper performance. The Congress ignored his views and passed a series of laws making many members of the executive branch independent of the president and immune to any control or scrutiny except by a congressional committee. Houston vetoed many of these laws, but Congress repassed a large number of them over his veto. On the other side of the issue, except for the direst of emergencies he refused to spend money for which Congress had not passed an appropriation law. As a legislator, he maintained that the president should control his subordinates, but he refused to allow executive powers beyond constitutionally-granted ones.

In foreign diplomacy, Houston definitely believed that the president should exercise a great deal of control. Although he thought that Congress should have some influence in that field through financing foreign missions, approving the appointment of foreign diplomats, and ratifying treaties, he adamantly defended the right of the president to negotiate in secrecy. When the Texas Congress tried
to interfere in ongoing negotiations, he invoked the concept of executive privilege in refusing to turn over documents or information which might compromise the diplomats of other nations.\textsuperscript{102} As for the purpose of diplomacy, he maintained that a country should try to protect itself through negotiation in order to avoid war.\textsuperscript{103} When Mexico continued to threaten war during the years of the Republic, he tried to get the United States to annex Texas.\textsuperscript{104} When the U.S. did not do so, he encouraged the diplomats of Britain and France to intervene with Mexico on behalf of Texas.\textsuperscript{105} Although he personally favored annexation, he wanted peace and protection for Texas, and he accepted the protection of European nations when the U.S. did not provide it.\textsuperscript{106}

While sitting in the U.S. Congress, Houston generally advocated the same type of foreign policy. He opposed intervening in European affairs, even though he despised efforts by some European powers to suppress liberty and democracy.\textsuperscript{107} Although he sought British intervention during his second term as president of Texas, he later supported the Monroe Doctrine, maintaining that the U.S. should attempt to keep Europeans out of the western hemisphere, not by confrontation, but by dealing with any situations which might provide the Europeans with an excuse to intervene.\textsuperscript{108} Despite favoring that doctrine, he usually opposed meddling in the internal affairs of Latin American countries, believing that the U.S. could accomplish more by
simply providing a good example of free institutions. Only in the case of Mexico did he advocate intervention, arguing that the anarchy in that country posed a constant threat to Texas and that France would intervene if the U.S. did not.

In the areas of economic policy and government finance, Houston supported a mixture of limited-government and democratic-utilitarian measures. On the subject of relief, he carried limited government to an extreme, maintaining that the government should provide no relief for any problems, except for those which the government itself caused. Since he believed that government relief constituted a direct attack on the right of property, he stated that such policies would lead to direct clashes between different economic classes. In the area of government expenditures, he also followed limited government thinking, arguing that the government should keep its spending as low as possible so as to not consume any more of people's property than necessary. As for the sources of revenue, he recommended an even mixture of customs duties on imports, which would tax the well-to-do merchant the hardest; direct taxes on property, which would hit the small farmer and worker the most; income from land sales, which would take a heavy toll from the frontiersman; and simple fees on services, which would require those who used services to pay for them.
Houston's other economic positions reflected his view that the democratic majority can adopt measures which further the common good. He enthusiastically supported internal improvements. Although he thought that the state governments should finance them, he favored building canals, bridges, and railroads with public funds in order to advance the economy for the benefit of all.\textsuperscript{115} He also favored public education for all in order to eradicate ignorance, although he thought that the states should begin with primary schools and let university education wait for a more prosperous time.\textsuperscript{116} On the issue of paper money, he showed a toleration and an understanding unusual for a frontier Jacksonian. Although he favored the use of gold and silver, during his years as president of the Republic he realized that Texas had little of either metal and few banks to meet the need for a dependable currency.\textsuperscript{117} To meet this need, he cooperated with the legislature in issuing paper money which the people could use as a medium of exchange.\textsuperscript{118} He understood that the government must issue only a limited quantity so that it would retain its value, and while he occupied the presidency, he used the veto power to keep the legislature from issuing too much.\textsuperscript{119} After he left office in 1838, the Lamar administration printed an absolute blizzard of the paper notes and thereby destroyed their value.\textsuperscript{120} When he returned to office in 1841, he began all over again, trying to create a limited currency which would
hold its value and a balanced budget which would stabilize the finances of the nation.\textsuperscript{121}

The issue of slavery came very close to destroying Houston's philosophy, just as it did the Union. As an individual he displayed a certain ambivalence on the subject. Although he owned slaves, he rarely had much good to say about the institution.\textsuperscript{122} On the other hand, he never attacked it either.\textsuperscript{123} As a politician, he tried to find a middle course. He never defended slavery as an absolute good, and he regretted that it had ever begun.\textsuperscript{124} He always condemned the African slave trade, opposed its reopening, and even submitted to the Texas Congress a treaty with Great Britain for suppressing that trade.\textsuperscript{125} Nevertheless, he did defend slavery, and in the process he asserted the inferiority of the black man, maintained that slavery should exist because of economic necessity and convenience, insisted on the need for a fugitive slave law, and condemned those who argued that moral law made slavery wrong.\textsuperscript{126} In short, to defend slavery he turned his back on political morality, on individual rights, and on limited government.

To keep the federal government from interfering in that institution, Houston used the concepts of democracy and constitutionality to argue that the people within a state have the right to choose their own institutions, and that on this issue the Constitution does not give the people of the
nation the power to override the people of a state. As the proslavery and antislavery forces became more extreme, he tried to defend the status quo, with slavery limited to the South, but protected there. He tried valiantly to keep the Missouri Compromise alive, but he became trapped by contradictions within his own principles. For example, he argued that Congress did not have the right to exclude slavery from the territories, but Congress did have the right to pass the Missouri Compromise, which excluded slavery from the Louisiana Purchase territories north of 36° 30'.

Eventually, most of the South and much of the Democratic party voted to repeal the Missouri Compromise with the Kansas-Nebraska Bill, and many southerners and Democrats condemned Houston when he voted against that bill. Although he insisted that the bill would bring disaster to the South, and events proved him correct, he became a man without a party and almost a man without a friend. In desperation, he violated some of his cherished beliefs. Trying to find a party to save the Union, he briefly joined the Know Nothing party, but he only managed to offend many of his beloved common men, as well as many of his beloved democratic sympathies. Trying to find a cause to take the South's mind off secession, he advocated an invasion of Mexico, but he only succeeded in betraying his defensive military ideals and his non-
interventionist foreign policy. Trying to unite Unionist Texans behind his leadership, he used large amounts of unappropriated funds to mount punitive expeditions against marauding Indians, but he only accomplished the abandonment of his lifelong friendship with the Indians and his lifelong dedication to constitutional government.

Houston committed all these desperate acts to try to save the Union, but all his efforts came to nothing. As war approached, Houston made some telling observations. The principles of constitutionally-limited government preserved slavery in the South for many years. If southerners decided to leave the Union, the resulting Civil War, combined with a northern-dominated Congress, would endanger slavery far more than Abraham Lincoln ever could as the president of a united country. He concluded that the consequences of such folly might well devastate the South for years to come. Although Sam Houston failed to win his final political battle, he understood his opponents' ideas well enough to see their probable outcome. Although he often did not see the contradictions which undermined his own philosophy, he usually did a remarkable job of keeping those conflicts in a successful balance. Unfortunately for the United States, very few of the other politicians of the 1850s achieved the same success, either in foreseeing the outcome of their ideas or in maintaining a balance within their political programs.
Notes


6 Ibid., 6-19, 24-6, 63, 67, 78-9, 94-5, 168-9, 324-8.

7 Amelia W. Williams and Eugene C. Barker, eds., The Writings of Sam Houston, 1813-1863, 8 vols. (Austin: University of Texas Press, 1938-43). Although most scholars refer to these documents by specifying the date and the
people involved with a letter or speech, this work emphasizes the idea content of Houston’s writings, and thus regards such details of little importance to the analysis. As a result, all references to the writings contain only volume number and page number.

8 Ibid., 5:451, 6:204.
13 Ibid., 1:35-6, 1:438-9, 4:60.
16 Ibid., 2:342, 5:229.
18 Ibid., 1:304, 1:315, 7:344.
26 Ibid., 7:438-9.
27 Ibid., 7:431-40, 8:151, 8:207.

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31 Friend, Great Designer, 10, 12, 16, 76, 101, 167-8, 187, 220, 252, 325.
32 Williams and Barker, Writings, 5:233-5, 7:42, 7:359, 8:254, 8:275, 8:305.
33 Ibid., 4:324, 5:439.
34 Friend, Great Designer, 63, 67, 78-9.
36 Ibid., 4:403-4, 5:34-5, 8:230.
39 James, Raven, 172-3.
40 Williams and Barker, Writings, 3:479; James, Raven, 18-23.
43 Ibid., 2:335, 2:344, 4:60, 5:34, 5:351.
45 Ibid., 394, 399, 400.
48 Muckleroy, "Indian Policy," 26:8-29, 26:184-205.


54 Ibid., 3:508-9, 3:528-9, 7:363.


56 Williams and Barker, Writings, 1:425, 4:318, 5:203, 5:204-6, 7:186, 8:102.


58 Ibid., 5:156-8.


60 Ibid., 5:313, 7:356.


62 James, Raven, 32-4, 252-3.

63 Williams and Barker, Writings, 1:308, 1:381, 6:148.


71 Ibid., 4:510, 6:487.
72 Ibid., 1:492-3, 3:105.
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74 Ibid., 2:1, 6:376-7.
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88 Ibid., 2:414, 5:121. 5:292.
89 Ibid., 2:427, 3:8, 3:28, 3:514-6, 4:401.

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92 Ibid., 2:109.
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100 Ibid., 3:487, 4:465.
112 Ibid., 2:112-3.

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117 Ibid., 2:154-5, 2:347.
118 Ibid., 2:154-5, 2:404.
120 Ibid., 2:351, 2:393.
121 Ibid., 2:402-5, 2:447.
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123 Ibid., 6:168-77.
127 Ibid., 5:105, 5:493, 6:384, 7:89, 8:123.
128 Ibid., 5:134, 5:494-6, 6:236-7, 8:155.
131 Ibid., 5:489, 6:203.
135 Ibid., 7:411, 7:516-7, 7:565-6, 8:91-2, 8:167, 8:178-9, 8:190-1, 8:221-2, 8:224-5, 8:236-46.
136 Ibid., 7:431, 8:147.
137 Ibid., 6:485, 7:354, 7:433, 8:149, 8:195, 8:207.

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