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TEXAN REPRISALS AGANIST
NEW MEXICO IN 1843

Dorothy Cottrell

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# TEXAN REPRISALS AGAINST NEW MEXICO IN 1843

BY

DOROTHY COTTRELL

A THESIS SUBMITTED FOR THE DEGREE OF

MASTER OF ARTS IN HISTORY

UNIVERSITY OF NEW MEXICO

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# CHAPTER I

## INTRODUCTION

In the year of 1843, while Texas was still defending herself against Mexico, there occurred three expeditions, chiefly against the Mexican traders, which have been classed in the category of reprisal.

The meaning of the term "reprisal" is the act or practice of resorting to force, short of war, to procure redress of grievances by seizing the property or persons of subjects of the enemy.

The main object of the reprisals by Texas was for redress of grievances suffered by members of an earlier Texan expedition in 1841; namely, the Texas-Santa Fe Expedition.

The Texan reprisals in the year of 1843 consisted of the McDaniel raid, near the Little Arkansas River, on the caravan of a Mexican trader; the Warfield attack on the Mora Valley in New Mexico; and the Snively expedition, which was disarmed near the crossing of the Arkansas River by Captain Cooke, commander of an escort

furnished by the United States for a party of traders, which the Snively band planned to attack and plunder.

The use of reprisal as a method of warfare is not considered legitimate under the rules of international law; therefore, because Texas used this method, the United States looked upon her with disfavor.

Reasons, other than reprisal, for the raising of these forces against the Mexicans were:

First, to establish claim to the country known as the northeastern part of Mexican territory.

Second, to intercept and divert the Santa Fe trade.

Both of the above statements will be considered in detail in the next chapter.

These expeditions of the Texans in the year of 1843 are important in the development of the history of that period because they were one of the major activities of the Texan Republic in that year.

Many details of the expeditions have never been brought to light, because writers are inclined to neglect them. As W. C. Binkley states, they have never been placed in their proper relationship to the revolutionary movement.[1]

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[1]Binkley, W. C., "The Last Stage of Texan Military Operations Against Mexico, 1843." Southwestern Historical Quarterly, v.22, p.260.

E. B. Burton says:

> Historical writers dealing with prominent events prior to the American Occupation period have only casually mentioned the efforts on the part of the Texans to secure revenge for what they considered to be outrages committed upon the members of the Texas-Santa Fe Expedition. . . . Some of our local historians have been so poorly advised as to the events actually occurring during the last years of General Armijo's rule as governor, as even not to have been able to spell names of the principal characters engaged in these acts of reprisal on the part of the Texas freebooters.[2]

The neglect of this subject is shown by the small amount of space devoted to it by several major historians.

H. H. Bancroft has approximately one page containing the events of the Snively expedition, with but little to criticize and interpret. One volume[3] does not mention the McDaniel or Warfield expeditions. The account of the Snively expedition is based on accounts by Yoakum and Thrall, in two of the older histories, which are now out of print. In another volume[4] Bancroft gives short accounts of McDaniel and Warfield, but very little interpretation of the events.

G. P. Garrison is silent as to Warfield and

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[2]Burton, E. B., "Texas Raiders in New Mexico in 1843." Old Santa Fe, v.2, p.309.

[3]Bancroft, H. H., History of the North Mexican States and Texas, v.2, p.371-2.

[4]Bancroft, H. H., Arizona and New Mexico, p.326-9.

McDaniel's activities, but defends Snively for his part in the expedition. Other than the defense of Snively, Garrison gives nothing more than a brief account of the events.

Josiah Gregg is one of the best sources of information, his book being used by many writers as a reference. Gregg's account is contemporary with the events of 1843, and it is interesting in that it is an interpretation from the viewpoint of that time. He emphasizes the commercial aspect of the expeditions.

Before discussing the expeditions themselves, several events prior to the year 1843 which are closely related to the expeditions will be dealt with in the next chapter.

# CHAPTER II

## EVENTS PRIOR TO 1843

The Texan claim to the region lying east of the Rio Grande from its source to its mouth brought difficulties to the Texas Republic in its effort to establish jurisdiction over this region.

This claim had been laid down by the Texan legislature in the year of 1836. "The claim was a thoroughly arbitrary one," and no attempt had been made to establish jurisdiction over that portion of New Mexico lying within the limits defined by the Texan Congress prior to 1841. "In 1841 an expedition to Santa Fe was projected, which, it was hoped, would lead to the acquirement of that territory."[1]

The condition of finances in the Texan Republic was another factor in the expedition to Santa Fe. From the first the policy of the officials of the Republic was extravagant. Texas was also undeveloped, and

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[1]Bancroft, H. H., History of the North Mexican States and Texas, v.2, p.332.

efforts to realize immediate revenue from her land were almost a complete failure.[2]

Because of the need for money, Texas could not afford to overlook any possible source of revenue.

Year by year the Santa Fe trade went clear of the territory of Texas. Its growing importance caused Texas to be aware of the fact that the trade might be diverted through Texas. The following quotation gives the opinion of Gregg toward the practicableness of the Texas plan to divert the trade through the territory of Texas:

> In 1839 Josiah Gregg had ventured with entire success to lead a caravan by a more southern route along the Arkansas River. He did not head straight for Chihuahua through dread of the reputed aridity of the southern prairies, but when he reached Chihuahua in September he learned that a caravan from there had gone to the United States direct, the spring before, and that it was expected back any day.[3]

H. Yoakum[4] says that in 1841 Texas was engaged in building a military road from Red River to the presidio crossing of the Nueces, and that a road was proposed from Austin to Santa Fe. It was believed that the Santa Fe trade, which was supposed to amount to four or five million dollars annually, might be diverted through Texas, shortening the route three or four

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[2]Bloom, L. B., "New Mexico Under Mexican Administration"--VI. Old Santa Fe, v.2, p.147.

[3]Ibid., p.148.

[4]Yoakum, H., History of Texas (New York, 1856).

hundred miles.[5] The Texas development of the Santa Fe trade was never a fact, but an effort to bring it about was attempted in 1841, by the expedition to Santa Fe in that year.

Also, as has already been stated, Texas realized the need for her commercial development, and this fact should be particularly stressed as a reason for raising the forces for the expedition.

T. M. Marshall, who has made a study of the importance of commerce in the Texan project to Santa Fe, states: "None of the historians have been fully cognizant of the whole of Lamar's[6] project, especially in its commercial and diplomatic aspects."[7]

G. W. Kendall, the historian who accompanied the expedition, says that to divert this trade was certainly the primary and ostensible object.

The ulterior object, of which Kendall did not know at the first, was to bring as much of the territory as lies upon the eastern or Texan side of the Rio Grande under the Texan government. This was the carrying out of the claims of the Texan Congress of 1836. President

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[5]Marshall, T. M., "Commercial Aspects of the Texan Santa Fe Expedition." Southwestern Historical Quarterly, v.20, p.242.

[6]Lamar, M. B., President of the Texas Republic at the time of the Santa Fe Expedition.

[7]Marshall, T. M., Op. cit., p.243.

Lamar seemed to have positive assurance that the people of New Mexico would hail the coming of such an expedition with gladness.[8] This belief was founded upon the statement that nine-tenths of the inhabitants were discontented under the Mexican yoke, and anxious to come under the protection of that flag to which they really owed fealty.[9]

No military force was to be used to persuade the New Mexicans to accept Texan jurisdiction. If the inhabitants did not show a desire to declare allegiance to Texas, the commissioners were only to make arrangements for trade, and then retire.[10]

In order to understand the bitter feeling which the Texans developed for the Mexican officials after the events of the Santa Fe Expedition, some details of the expedition should be given.

On June 20, 1841, the expedition set out for Santa Fe. It did not seem strange to Kendall, the historian of the expedition, that a military force of some three hundred men accompanied the party, because of the fact that the route went across a country infested with hostile savages.

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[8]Kendall, G. W., Santa Fe Expedition, v.1, p.15.
[9]Ibid.
[10]Ibid., p.16.

The members of the force encountered many hardships during the course of the journey. The climax to the difficulties, however, came at the end of the expedition.

The force had been separated, and one part of it was forced to surrender to Governor Armijo of New Mexico, and to Salazar,[11] an officer in his force, at Anton Chico; the rest of the Texan force surrendered later to Archuleta[12] at Laguna Colorada.

After the Texans gave up their arms they were marched to Mexico City as prisoners. During the journey to Mexico the Texans suffered more hardships than they had previously encountered. It was because of the cruel treatment of the prisoners by Salazar, who was in charge until they reached El Paso, that the Texans hated the Mexican officials with such bitterness.

Kendall has given much space to the details of the cruelty of Salazar, and probably has exaggerated the harsh treatment of the prisoners, as he himself was one of the prisoners and therefore unable to look upon the question from the viewpoint of the Mexican officials.

L. B. Bloom says that, taking everything into

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[11]Salazar, Captain Damasio, on Sept. 16, 1841.
[12]Archuleta, J. A., on Oct. 5, 1841.

consideration they were fortunate to escape as easily as they did.[13]

According to Kendall the cause of the failure of the Santa Fe Expedition was well known to the participants. In the first place, the expedition began its march too late in the season by at least six weeks. Second, the force was not able to obtain a party of Lipan Indians as guides; therefore, they took a route some three hundred miles out of their way. Next, the government did not furnish enough wagons and oxen to transport the goods of the merchants; and fourth, not enough cattle on hoof were provided.[14]

Kendall thought that the imprisonment was very unjust. The following is his view of his case:

> I was a citizen either of the United States or of Texas,--if of the former, my imprisonment was unjust, if a Texan, I only hoped that nothing might be said of my case. I had left New Orleans, as I have before stated, with the openly-avowed intention of making a tour through both Texas and Mexico. I had armed myself, previous to starting, with a passport and other documents plainly defining my position, and on reaching Texas had still further fortified myself with letters from influential gentlemen in that country, in which was expressly stated that I had no connection whatever, civil or military, with the Santa Fe Expedition.
>
> I knew that in <u>thought</u> I had committed no

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[13]Bloom, L. B., <u>Op. cit.</u>, p.152.
[14]Kendall, L. W., <u>Op. cit.</u>, p.365.

> offense whatever against the Mexicans, and that even in deed my actions could not, by the wildest and broadest construction, be perverted or magnified into crimes at all adequate to the punishment I had already received.[15]

Kendall has condemned the United States foreign policy for deviation in its responsibility in cases of emergency, because of the agent's fear that he might displease his party.[16] It was partly due to this fact, Kendall believed, that citizens of the United States were held prisoners in Mexico for so long.

Kendall was finally released, and returned to the United States May 18, 1842, just a year from the date on which he left for the expedition.

Most of the other prisoners were not as fortunate as Kendall; the greater part of them were released June 16, 1842, and one member, Navarro,[17] a member of the Texan commissioners, and a Spaniard, was imprisoned until December, 1844.

The Santa Fe Expedition caused the renewal of hostilities by the Mexicans in 1842, and the strengthening of military forces in New Mexico.

The Mexicans took their turn at raids by capturing San Antonio, Refugio, and Goliad. The Mexican

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[15] Ibid., p.211-12.

[16] Ibid., v.2, p.299.

[17] Navarro, Jose Antonio, was condemned to death by the Mexican officials, but escaped.

raids caused great excitement in Texas, and the Texans placed a large force in San Antonio to repel the Mexicans, but Mexico had already withdrawn her troops across the Rio Grande.

After an interval there were further raids by the Mexicans. In September, 1842, General Woll led the Mexicans in another attack on San Antonio. In this attack the Mexicans were defeated, and Woll retreated.

Texas then began a counter-attack which ended in failure and great disaster to Texas. The disaster was brought about by the defeat of a force which organized and pushed down the river to the town of Mier. The Texans were reduced to surrender and the Mexicans captured nearly two hundred and fifty prisoners. The prisoners were taken to Mexcio City by way of Matamoras. About one hundred miles beyond Saltillo the Texan prisoners effected their escape to the mountains. This escape proved most unfortunate, as they were soon recaptured. As a punishment for the attempted plan for getting free the Mexicans shot one out of every ten of the prisoners who had been recaptured.

The events which have been related in this chapter show the reason for the bitter feeling of the Texans for the Mexican government, especially for its officials.

The Mexican attacks on Texas in 1842, and the failure of the Texan expedition sent to counteract these attacks stimulated the Texans to further action.

Thus the situation at the beginning of the year of 1843 was very critical as far as Texas was concerned; the Texan government was determined to do something in the way of retaliation, as well as gain something in a material way for past injuries suffered at the hands of the Mexicans.

The outcome of the bitter feeling toward Mexico was the commissioning and operation of three expeditions for the purpose of reprisal and gain from the New Mexican traders.

# CHAPTER III

## THE McDANIEL AND WARFIELD EXPEDITIONS

After the decision of the Texan authorities upon the course of reprisals, a commission was granted to Charles A. Warfield, who was given the rank of colonel. The commission was given in July or August of 1842,[1] though Warfield did not begin his activities until early in 1843.

Warfield was given the authority to commission such officers as he thought necessary to carry out his plans.

Among the ones who were given commissions by Warfield was John McDaniel. He, with a small band of followers, carried out the first reprisal. The details of the attack by McDaniel were as follows:

Events upon the frontier had been rather quiet for a time, and so little apprehension appeared to exist, that in February, 1843, Antonio Chavez, of New Mexico,

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[1]Cooke, Philip St. George, "Extract from his Journal," Reprint from Magazine of American History, July, 1887, v.18, p.34-44. (See Appendix I, p.64.)

left Santa Fe for Independence, Missouri, with but five servants, two wagons, and fifty-five mules.[2] He also had with him some ten or twelve thousand dollars in specie and gold bullion, besides a small lot of furs.

The little party suffered much from the severity of the weather, and from privations. Most of them were frost-bitten; and all of their animals, except five, perished.

The loss of the animals made it necessary for Chavez to abandon one of the wagons upon the prairies.

"He had worried along, however, with his remaining wagon,"[3] when around the tenth of April he came to the Little Arkansas, at least a hundred miles within the territory of the United States. There he was met by McDaniel, who, as has been before mentioned, held the title of captain from Colonel Warfield.

McDaniel, with a band of about fifteen ruffians, committed a crime which "was a little more than even the Texan sympathy on anti-Mexican prejudice of the southwestern frontier could justify."[4]

The McDaniel party attacked and plundered the New

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[2]Gregg, J., Commerce of the Prairies, p.327.
[3]Ibid.
[4]Bancroft, H. H., Arizona and New Mexico, p.327.

Mexican caravan, and seven of the number, with their share of the booty, started back to the Missouri settlements. The other eight of the party, soon after the departure of their comrades, determined to put Chavez to death. The reason for this decision is not known, as Chavez had then been their unresisting prisoner for two days. Lots were cast to determine which four of the party should carry out the murder. The victim was then taken off a few yards and shot down in cold blood.

After his murder a considerable amount of gold was found on his person, and this was taken. Then the body of Chavez, together with his wagon and baggage, was thrown into a ravine. The marauders, after this terrible deed, then went to the frontier to join their companions.

Great exertions had been made to capture these outlaws from the beginning, but they escaped the vigilance of a detachment of dragoons that had followed them over a hundred miles. Five of the whole party, including three of the ones who killed Chavez, escaped. The other ten were captured in the States, and tried. They were sentenced to death or imprisonment, according to their crimes.

Because of the fact that the crime was committed well over on the United States territory the punishment was left to United States authorities.

Texas disavowed McDaniel's act by saying that Warfield had abused the trust given him by Texas officials, and therefore the Republic was not responsible for the act.

Texas historians today declare that the act was indirectly connected with the Texan aggressive movement, but its nature did not entirely conform with the Texan view of legitimate retribution.[5] Other historians do not absolve Texas from the responsibility for the attack.

Bancroft states that Texas' "grand scheme of vengeance, invasion, and revolution reduced itself to a raid for plunder on the Santa Fe caravans."[6]

Gregg says that McDaniel was recently from Texas, from which government he professed to hold a captain's commission. "They started no doubt with the intention of joining one Colonel Warfield (also said to hold a captain's commission), who had been upon the plains near the mountains with a small party for several

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[5]Binkley, W. C., The Expansionist Movement in Texas, p.110.

[6]Bancroft, H. H., Arizona and New Mexico, p.327.

months--with the avowed intention of attacking the Mexican traders."[7]

In this statement Gregg places McDaniel and Warfield upon the same plane, as they both held commissions from Texas for the same purpose. If Texas was held responsible for one, it seems that the responsibility should extend to the other affair.

While McDaniel was engaged in the attack upon the Santa Fe trade in United States territory, Warfield was engaged in similar activities in New Mexico.

Warfield is usually given the character of a private raider[8] in spite of the fact that he held a commission from the Republic of Texas. The fact that Warfield apparently did not begin to raise his force immediately after he received his commission has already been mentioned.

In the early part of the year of 1843[9] Warfield was busy endeavoring to raise recruits. He stated that his proposed expedition was justifiable under the

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[7]Gregg, J., Op. cit., p.337.

[8]Binkley, W. C., "Texan Military Operations Against Mexico, 1843," Southwestern Historical Quarterly, v.22, p.264.

[9]Burton, E. B., "Texas Raiders in New Mexico in 1843," Old Santa Fe, v.2, p.309-10, quotation from Sage, Wild Scenes in the Rocky Mountains, who accompanied the Warfield expedition, states that he encountered a Texan recruiting officer for the expedition, Feb. 16, 1843.

rules of legitimate warfare. The statement of the purpose of the expedition said that the main design was to annoy the Mexican frontier, intercepting their trade, and forcing the Mexicans, if possible, to some terms of peace.[10] This was considered an effective way of making retribution for the injuries suffered by the Texans in the Santa Fe expedition in 1841.

Besides this motive was the fact that the region known as New Mexico, claimed by the Texan legislature of 1836, had not yet been subjugated. Also, the fact that the Santa Fe Trail, which was still the principal route for trade between the United States and Mexico, ran across the region to be traversed by the Warfield party served as another reason for the expedition.

Warfield displayed a bullet-pierced flag which had been used in battles of the struggle of the Texas Republic for freedom in order to gain recruits.

In spite of this method of recruiting, Warfield was greatly disappointed in the number which gathered at the junction of the Rio de las Animas with the Arkansas, in March.

The expectation had been that a force of eight

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[10] Binkley, W. C., "Texan Military Operations Against Mexico, 1843," Southwestern Historical Quarterly, v.22, p.264.

hundred or a thousand men would respond; but only twenty-four men gathered at the place designated as a meeting place.

This little group set out on March 21, in two sections:

The first, consisting of ten men under the leadership of Colonel Warfield, was to proceed to the crossing of the Arkansas to await the arrival of a larger detachment; the other part, composed of fourteen men, was to march up the Rio de las Animas to the Taos Trail to perform the duty of an observation corps. The two divisions were to unite at Pilot Buttes.

The men of this party suffered much the same hardships as did the members of the Santa Fe expedition of 1841. The two divisions were reunited at the appointed place of Pilot Buttes, but the larger force which had been expected was not there.

The Texans were already very much discouraged as the season was late and they were in hostile country. Upon receiving news that a Mexican force was near, the decision was to steal a march on the enemy, and take them by surprise.

The scouts learned that the enemy was occupying a camp four or five miles southeast of the town of Mora.

The plan was to storm the Mexican camp, and force a passage into the town--an act which Gregg describes as an "unpropitiatory movement" as the inhabitants were a very simple and innocent people, who seemed "to have been inclined to the Texans."[11]

The plan to attack the camp was carried out, and the struggle which ensued resulted in the defeat of the enemy. The casualties were five killed and four wounded, with no loss of Texan life or property. Eighteen of the Mexicans were taken prisoners, but were soon released, as the Texans did not desire to keep them. All of the camp equipage, together with seventy-two head of horses and mules, fell into the hands of the Texans.

After this defeat of the Mexican camp, the Texans decided to make a retreat to the Cimarron. While on this march they were attacked unexpectedly by the Mexicans, and in this encounter all of their animals, excepting two "half-jaded" horses, were driven off.

The party then continued on foot until their arrival at the egress of the Rio de las Animas, nearly opposite Bent's Fort on the Arkansas.

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[11]Gregg, J., Op. cit., p.331.

The men were worn out and discouraged. The larger force which had been expected had not appeared, and nothing was left to do except disband.

Discharges were made out dated May 24, and on May 29 the band separated into three parties.

One of the parties, consisting of four men, left for the canyon of the Cimarron; another commenced their return to the Pacific, and the party headed by Colonel Warfield fell in with the Snively expedition, which was already on the Arkansas.

The party, under the leadership of Warfield, became involved in difficulties with a company of United States Dragoons, under the command of Captain Cooke, but as Warfield had joined the Snively expedition, the details of the encounter will be dealt with in connection with the Snively expedition.

# CHAPTER IV

## THE SNIVELY EXPEDITION

Following the events which have been related in the preceding chapter, there was one other attempt at reprisal by the government of Texas. This was the expedition under the leadership of Jacob Snively, which began in the spring of 1843.

The Mexicans knew of the plans for such an expedition, as it had been reported in Santa Fe as early as 1842, that a party of Texans were upon the prairies, prepared to attack any Mexican traders who should cross the plains the succeeding spring. As some Americans were accused of being spies, and in collusion with the Texans, many were ordered to Santa Fe for examination.[1]

The above paragraph shows the suspicion with which the Mexicans viewed the United States, an idea which was brought out in connection with the Warfield expedition.

The attitude toward the expedition, as given by

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[1]Gregg, J., Commerce of the Prairies, p.326.

J. S. Reeves, is this:

> The character of this expedition was not such as to gain them [the Texans] additional moral support. . . . . The expeditions were a mere freebooting enterprise, and the Texan activities came to be looked upon in the United States, even by the friends of Texas, as guerilla warfare, unredeemed by the appearance of a defensive undertaking.[2]

G. L. Rives says that this expedition was just another "foolish attempt" at reprisal, and the commission was much like "letters of Marque and reprisal to a privateer," authorizing him to capture the enemy's property.[3]

The commission for Snively "to organize and fit out an expedition," was granted by the Texan Secretary of War and Marine under the date of February 16, 1843.[4]

Two statements in the text of the commission should be kept in mind in view of later developments:

The first statement is to the effect that the expedition "will be <u>strictly partisan</u>"; that is, to be adherent to a party, faction, or cause.

Second, that the expedition "will be careful not to infringe upon the territory" of the government of

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[2]Reeves, J. S., <u>American Diplomacy Under Tyler and Polk</u>, p.118.

[3]Rives, G. L., <u>The United States and Mexico</u>, v.1, p.493.

[4]For copy of Snively's instructions see Appendix I, p.49.

the United States.

The primary purpose of the Snively expedition was to retaliate and make reclamation for injuries sustained by the Texans during the Santa Fe Expedition, by capturing the tyrant Armijo, Governor of New Mexico, and by intercepting the Mexican traders.

The Texans were so optimistic that they thought it was probable that the expedition would make a descent upon Chihuahua, and ultimately revolutionize the whole of Northern Mexico.[5]

The Texans thought they were justified in the interception of the Mexican trade because, as we have noted before, the Texans claimed the Rio Grande to its main source as their boundary; therefore, the Mexican trade was considered to be illicit.

"The triplicate Mexican raid of 1842, ending with the glorious but unsuccessful battle of Mier, intensified the desire for retaliatory action toward Mexico, and especially toward New Mexico."[6]

It was known before they started that a Mexican

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[5]Binkley, W. C., "Texan Military Operations Against Mexico, 1843," Southwestern Historical Quarterly, v.22, p.267.

[6]Burton, E. B., "Texas Raiders in New Mexico in 1843," Old Santa Fe, v.2, p.415-16. (Footnote 2, quoted from Brown, Indian Wars and Pioneers of Texas).

train of great value would travel from Independence to Santa Fe, and as the route lay for a long distance in Texas, it was considered legitimate prey.

On April 24, 1843 about one hundred and eighty men met near the present town of Denison, and here the force was organized. The route taken was from Georgetown, near Coffee's Station, to the Arkansas. Snively said the course was nearly due west, which was continued one hundred and fifty miles. This route carried the expedition, as Snively claimed, at least fifty miles west of 100° west longitude, continuing the course until he reached the Arkansas.

Snively claims he was satisfied that he was at least fifty-seven miles west of the point where the line between the two governments would intersect.[7]

They encamped on the southwest bank of the Arkansas on the 27th of May. News soon came from Bent's Fort that six hundred Mexican troops were waiting above to escort the caravan from the American boundary to Santa Fe.

On June 20 a portion of the command led by War-

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[7]Garrison, G. P., "Diplomatic Correspondence of the Republic of Texas," American Historical Association Report, 1908, v.2, Part 1, p.218. (Snively's Report to Hill.)

field, who had previously joined the Snively force, encountered a portion of Mexican troops. In the attack which followed, seventy of the Mexicans were killed, eighteen wounded, and eighty were taken prisoners. In this skirmish the Texans suffered no loss of life, and were able to secure a supply of horses, saddles, and arms.

The caravan which was expected from Independence had not arrived. The Texans became more discouraged and discontented.

On the 28th of June, the scouts returned and reported that they had seen no evidence of the caravan. Upon hearing this report, the company decided to separate.

Seventy of the party, under the command of Captain Eli Chandler, started for Texas on the 29th.

Snively, after setting at liberty the Mexican prisoners, pitched another camp further up the river.

At this camp Snively decided to await the arrival of the caravan, which was this year under the escort of two companies of dragoons from the United States, commanded by Captain Philip St. George Cooke.

On June 30 they were discovered by the scouts sent out by Snively. The scouts reported that Cooke had two

pieces of artillery, and that the force from the United States was superior in strength and discipline. Captain Cooke appeared, soon after his discovery by the scouts, and in spite of the protest by Snively that they were on Texas soil, proceeded to disarm the Texan command.

Because of the difficulty which came out of the disarming of Snively by Cooke, both sides of the question should be considered.

In Snively's report to Hill, the Secretary of War and Marine of the Republic of Texas, the Texan view of the matter is presented.[8]

> Being satisfied that I was correct in my calculations [that he was west of the point where the line between the two governments would intersect the river], I felt no hesitation in ordering the Battalion to march to the River, on the 29th of June for the purpose of procuring supplies of Buffalo meat.
>
> The next morning, June 30, a party of men were dispatched to kill Buffalo. After having been unsuccessful on the Texas side they crossed the River, seeing numerous herds on that side, and while in pursuit of them they discovered them to be U. S. Dragoons approaching. The party immediately returned to the encampment, pursued to the River's brink. In a very short time the whole command under Capt. Cooke appeared in sight.[9]

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[8]Garrison, G. P., Op. cit., p.218-20.
[9]Ibid.

Snively then continued with an account of Cooke's sending Lieutenant Love, who asked Snively to visit Cooke on the opposite side of the river.

Cooke finally stated that he and his officers had come to the conclusion to disarm Snively.

> To this [decision] I [Snively] protested, giving him an outline of the course which we marched, and also that the line was not defined, and that he could not point it out. But nothing I could say or do had any effect. He had made his terms and to them I must submit.[10]

Captain Cooke had 196 men, the advantage of two field pieces, and superiority of discipline, horses, and arms.

Snively was given permission to recross the river and consult with his men, but he had only proceeded a short distance, when he was recalled and informed that Cooke would accompany him.

It was Snively's belief that he would be accompanied only by Cooke, but the bugle sounded an advance and the cavalry and artillery crossed over and formed a line of battle.

Cooke then asked Snively to order his men to stack their arms. This was done, and Cooke took all of the arms except ten rifles.

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[10] Ibid., p.219.

> The next morning, July the 1st, Capt. C. sent over a detachment, commanded by Capt. Moore, requesting me [Snively] to bring over the men, in order that he might protect them against the hostile Indians and Mexicans.[11]

About fifty men accepted the escort of Cooke to Independence, to whom he gave three of the ten guns left in the hands of the Texans.

The remainder of the party would not accept an escort, unless guarded to Texas. To this Cooke would not consent, but allowed the party five guns.

On July 1, Snively marched to Elmn Creek, and dispatched scouts to spy on the caravan which they had expected to attack. On the 2d Snively joined the Chandler party, which consisted of seventy-four men.

After an attack by Indians on the 4th, in which two men were killed and sixty or seventy of the horses were stampeded, they engaged the Indians in battle, killing from eight to fifteen men.

Report of the caravan was heard on the 8th, but most of Chandler's men were unwilling to attack.

On July 9, Snively resigned his command, and the company continued to Texas. They reached home around the last of July.

Cooke's view of the affair is quite different from Snively's report.

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[11] Ibid., p.219-20.

Captain Cooke had joined the trading caravan at Council Grove on June 3, and had proceeded from there with the traders. On June 22, at Walnut Creek, he received word that Snively, with a force of about one hundred and eighty Texans, had avowed his intention to attack the caravan wherever he could find it unprotected. Snively had also made many threats against the American portion of the caravan. Cooke learned that three spies from the Snively command had been reconnoitering in the territory of the United States.[12]

On the 30th of June, as Cooke was proceeding with the escort and caravan in the direction of the crossing, he saw three horsemen about a mile in advance (the men that Snively claimed were buffalo hunting). Cooke supposed that these were the spies about which he had heard, and in pursuing them, came in sight of the Arkansas River. On the opposite side of the river, he saw, in a large grove, a force of men and horses. They hung out a white flag, and Cooke sent a subaltern with a trumpeter and flag across the river.[13]

The events which then took place have already been described by the Snively account, and Cooke's report

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[12] Ibid., p.244-5.
[13] Ibid., p.245.

does not differ greatly in the description of Cooke's disarming of Snively.

Captain Cooke defends his action thus:

> I had been in the country before, and knew that the boundary line had not been marked by the government, but I believed it my duty to consider that the line ran on the side of me where the unanimous opinions of all who had the same opportunity of judging placed it, until the government should perform their duty of marking it. . . . Besides the spies, I now saw many of their men crossing a mile or two below the south side.[14]

Cook, after examining Snively's commission, makes the following comment upon it:

> I believe that a civilized government would scarcely acknowledge such a documant, which, without an indication of the forms of regular organization, outrages all the rules of modern warfare, which scarcely allow the incidental destruction or robbery of private property on land. I believed most of the ruffian crew before me to be outcast citizens of the United States, and felt assured that if the president of Texas had as good an opportunity of passing judgment upon them as on the Navy of the "Republic," he would pronounce them bandits if in Mexico. These men, exceeding their instructions in that they had dared to send their spies into our country, to assist and enable them the more surely to assail our peaceful trade, above all, the welfare of my fellow citizens depended on my decision.[15]

The decision to disarm Snively came after deliberation between Cooke and his officers. All agreed that

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[14]Cooke, Philip St. George, "Extract from his Journal," Reprint from Magazine of American History, July, 1887, v.18, p.34-44. (See Appendix I, p.51.)

[15]See Appendix I, p.52.

Snively was in the United States.

Cooke addressed this decision to the Texans:

> Gentlemen, you are in the United States. I believe the line has never been surveyed and marked, but all the world agrees that it strikes this river about or above the Caches. You admit that this point is above this. Some believe it as high as Chateaus Island, sixty or seventy miles above that point.[16] Now, all the best writers on national law agree that no power in its warfare against another has a right to enter a neutral's territory, there to refresh himself, afterwards to sally out and attack his force or his citizens, or his property, and it is the rightful power and duty of a neutral in such cases to disarm the intruders and send them wherever they please, through or out of their territory.[17]

That the Snively command was not strictly partisan, as authorized by the commission from the Texan government, is shown by the following statement:

> Everything went to prove that there was no regular military control amongst these men. Many of them admitted,--remarked--, that there had been no organization nor government since the party left them, there was not, save firearms, the slightest sign of military rank or equipment, but a profusion of Bowie knives seemed to mark their character individually and collectively.[18]

Warfield, the commander of the earlier expedition, whom Cooke also encountered, admitted that no military authority existed among them.[19]

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[16]See Appendix III, p.76 for map of the Snively camp.

[17]Cooke, Philip St. George, Op. cit., p.34-44.

[18]Ibid.

[19]Ibid. (See Appendix I, p.63.)

Cooke claims that individuals of the Snively party had attempted to slip off up the river, and over the hills. Efforts had been made to stop them by placing pickets on the hills. The Texans had tried further to deceive Cooke by sending word that the Mexicans were about to attack them. This report came after Cooke had disarmed Snively.

The above statements show that the Snively force had broken the rules which were given by the Secretary of War and Marine of Texas, and seem to indicate that Cooke was justified in disarming the Texans.

Cooke escorted a portion of the Snively force to the United States, and the others, as we have already seen, went back to Texas.

The effect and outcome of the expeditions will be discussed in the next chapter, together with the end of the Snively affair and the decision of the United States Court of Inquiry.

# CHAPTER V

## RESULTS OF THE EXPEDITIONS

The culmination of the expeditions brought circumstances which were injurious to the interests of both the United States and Mexico.

Josiah Gregg says:

> The most unfortunate circumstance attending this invasion of the Prairies--unfortunate at least to the United States and to New Mexico--was the closing of the northern ports of foreign commerce.[1]

This was effected by a decree of Santa Anna, then the president of Mexico, issued on August 7, 1843. The decree did not long hinder trade, however, as the ports were reopened by another decree in March, 1844.

Another effect of the Texan reprisals which was much more serious, especially to the United States, was to increase the suspicion of the Mexican government that the United States was aiding Texas.

Arrangoiz, the Mexican consul at New Orleans, and Colonel Almonte, the Mexican minister at Washington,

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[1]Gregg, Josiah, Commerce of the Prairies, p.334.

kept themselves informed upon the developments in Texas. The information which they received was communicated to their government. Both of these men reported fully concerning the Warfield activities, and sent news of the Snively expedition. The impression conveyed was that the expeditions were being fostered by the United States. Mexico was afraid of the United States and the fact that the Mexican officials connected Texan activities with the interest of the United States caused much alarm.[2]

So great was the fear in Mexico that steps were taken to repel the Snively expedition. This fact is shown by the following quotation:

> A letter from Juan A. Archuleta[3] to Armijo[4] dated June 11, 1843, indicates the steps that were being taken in New Mexico to repel this new invasion [Snively's] which was soon expected. Armijo was then already in the field and Archuleta was soon to follow with other troops.[5]

That the United States did not approve of these invasions by the Texans is shown by the letter from Joseph Eve, the United States agent in Texas, to Anson Jones, Secretary of State of the Texan Republic, dated

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[2]Binkley, W. C., "Texan Military Operations Against Mexico, 1843," Southwestern Historical Quarterly, v.22, p.269.

[3]Lieutenant-Colonel in charge of the militia.

[4]Armijo, Manuel, Governor of New Mexico.

[5]Bloom, L. B., "New Mexico Under Mexican Administration," Old Santa Fe, v.2, p.153.

April 13, 1843:

> I am instructed by the State department of the United States to seek an early interview with the Secretary of State of Texas, and address to him a strong but kind and friendly remonstrance, to abstain on the part of Texas from carrying on the War (should it continue) against Mexico by means of predatory incursions, whether with a view to retaliation or otherwise. But so long as the war continues, to carry it openly, honorably, and according to the rules recognized by all civilized and Christian States in modern times.[6]

The attitude of the United States, together with the interference of Great Britain, had its effect upon Texas. In a letter dated June 8, 1843 from Jones, the Texan Secretary of State, to Van Zandt, Charge d' Affairs of Texas in the United States, the attitude here expressed seems to be that Texas did not want the responsibility of the consequences of the Warfield expedition.

Jones says that the Texan government had had no communication from Warfield since August, 1842, when instructions to operate and command an expedition were given to Colonel Warfield. Jones further states that it was supposed "until very recently that this expedition had been long since abandoned," because when

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[6]Garrison, G. P., "Diplomatic Correspondence of the Republic of Texas," American Historical Association Report, 1908, v.2, Part 1, p.163.

Warfield had received the commission the government was led to believe he would act immediately.[7]

As a result of the peace negotiations by Great Britain, the Texans promised to take steps to end the war.

In a letter from Hill, Secretary of War and Marine of Texas, to General Adrian Woll, Commander-in-chief of the northern armies of Mexico, Hill states that Texas had taken the proper measures for peace, and gave the information that the Warfield command had been revoked.[8]

The correspondence is dated July 29, 1843, and states that an order to Warfield and Snively canceling authority previously granted, was enclosed with this letter to the Mexican official.

It also says that if Snively and Warfield and the forces under their command "have appeared, or should in the future appear in any portion of the frontier of Mexico, previous to the reception of similar orders through another channel, you may have it in your power" to give orders to cease hostilities immediately.[9]

Evidence that the revoking of the commands was

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[7] Ibid., p.189.

[8] Adams, E. D., "British Interests and Activities in Texas, 1838-46," Southwestern Historical Quarterly, v.17, p.86-88.

[9] Ibid.

never delivered is given by C. F. Coan:

> The Texan Government declared an armistice and issued an order commanding Snively to return to the settlements in Texas. This order was never delivered and Snively continued his operations during the armistice.[10]

The date of the recall of the Snively and Warfield commands is not given by Coan, but it must have been before the latter part of May, 1843.

Warfield had disbanded his force on May 29, 1843, but had soon joined Snively, and as commander of a force in this party had encountered the advance force of the Mexicans, as has been before related.

After Cooke met the Snively force he had an interview with Warfield, and the following is Cooke's impression of Warfield and his commission:

> Warfield I then called up. I had almost determined to take him to Missouri, a prisoner, charged as a citizen of the United States, with making war upon, or murdering and robbing, the citizens of a friendly power.[11]

Cooke finally decided not to become involved with the Texan law, as Warfield held a commission from that government, and allowed Warfield to go free. Nevertheless, the commission and character of Warfield were not held in high esteem by Cooke.

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[10] Coan, C. F., History of New Mexico, v.1, p.315.
[11] Cooke, Philip St. George, "Extract from his Journal," Reprint from the Magazine of American History, July, 1887, v.18, p.34-44. (See Appendix I, p.63)

The Snively expedition had more definite results than the Warfield, if they are taken separately, although the effects of the expeditions are actually the culmination of all of the Texan activities of 1843.

The principal result, which grew out of the disarming of Snively by Cooke, as it affected the United States, was a dispute over the location of the boundary between the United States and Texas.

The officials of Texas were bitter in their criticism of the renowned Captain Cooke, and based their complaint on the grounds that Snively was in Texas when he was disarmed.[12]

Texas took the attitude that the best results would be obtained if an immediate settlement, for injuries sustained by Snively, were made.

The first of the correspondence upon the subject by the United States indicates that the details of the matter were not very well known, and the supposition was that it was doubtful whether the act was committed within the territory of Texas. Nevertheless, the Secretary of State of the United States "considered it a most extraordinary [act] and one that demanded the

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[12]Garrison, G. P., Op. cit., p.201.

strongest censure."[13]

The United States was ready and willing to make reparation for the damage. "The Secretary of State has at all times manifested an ardent desire to at once take the necessary steps to accord to Texas a proper satisfaction."[14]

These two quotations are taken from correspondence that was written before all the facts of the case were known. In a later letter from the Secretary of State, Upshur, to Texas,[15] Cooke's view of the situation is quoted, and says that the only question to be decided

> respects the manner [in] which Captain Cooke discharged the duty of protecting the caravan of traders. In disarming the force of Colonel Snively, he acted without specific instructions from this government, nor had he any instructions which would authorize him to violate any right of Texas, or of her people.[16]

This above correspondence also states that there is every indication to believe that the disarming took place in the territory of the United States.

The settlement for this damage which Texas received was left to the decision of the United States.

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[14]Ibid., p.236.
[15]Ibid., p.244-47.
[16]See Appendix II, p.74.

Cooke was arrested and brought before the United States Court of Inquiry, which was convened at Fort Leavenworth, Missouri, the 2d of April, 1844.

The opinion of this court was:

> In view of the foregoing facts, the court is of the opinion that Captain P. St. George Cook, of the Regiment of United States Dragoons, on the 30th of June, 1843, disarmed a Texan force under Colonel Snively, within the territory of the United States, by causing them to lay down their arms, under an appropriate exhibition of military force of the United States Dragoons; and that there was nothing in the conduct of Captain Cooke that was "harsh and unbecoming."
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> The court is further of opinion that Captain Cooke did not exceed the authority for the protection of the lawful trade of the Santa Fe caravan, "derived from the orders of the Secretary of War to the Commanding General of the Army, dated March 28, 1843, and of the Adjutant General to Colonel Kearny, dated March 29, 1843," and that the confidence reposed in him by his government was not, "in any degree misplaced."[17]

Nevertheless, even though it was found that Cooke had not exceeded his authority in disarming Snively, the United States paid for the damage to the Texan government. The amount paid by the United States was $18.50 for each fire-arm taken.[18]

When we sum up the character and effect of these

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[17]For copy of proceedings of this court see Appendix II, p.74.

[18]Bancroft, H. H., North Mexican States and Texas, v.2, p.372, Footnote 43.

expeditions there are several things of interest to note.

In the first place, though these reprisals were a complete failure from the standpoint of value to the Texans, they are important in that they brought about certain problems and influenced the attitude of both the United States and Mexico toward Texas.

As we have already seen, Mexico felt that the United States was responsible for these expeditions, and consequently held the United States under suspicion.

Also they served to keep alive the hostilities between Mexico and Texas, and caused criticism from the United States for this method of warfare.

The effect on the commerce of the prairies is given by Josiah Gregg. Even from his point of view he shows the folly of the Texan course. Chavez and his family were very influential in New Mexico; and they were not friendly with Armijo; while on the other hand they had been kind to the Texan prisoners of 1841. The Texans had attacked a caravan and the American traders would naturally stand by their Mexican companions. They raided Mora, whose people had always been friendly

to foreigners.[19]

Gregg also expresses the opinion that if the Texans had proceeded differently they would have induced the New Mexicans to surrender without a battle, but these events turned them from indifference to hostility.

The Texans have abused the Mexicans and Armijo for their conduct and treatment of the Texans, but all fair-minded people must admit that Texans as invaders were simply out of luck and received the same sort of treatment that would have been accorded by their own people had Texan territory been invaded by a hostile force or one acting and moving under pretenses acknowledged and proven to be false.[20]

L. B. Bloom says that in the results of these aggressions, we find only failure on the side of Texas, and no important consequence to New Mexico. For any evident effect which they had on the Department of New Mexico, brief notice might have satisfied our historical interest in them.[21]

These expeditions, in order to be of any importance

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[19]Bloom, L. B., Op. cit., p.156.
[20]Twitchell, R. E., Leading Facts in New Mexico History, v.2, p.82.
[21]Bloom, L. B., Op. cit., p.156.

to historians, should be placed in relationship to the revolutionary movement of Texas against Mexico, and one should see the clashing of two distinct groups of economic interests and ideals.[22]

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[22] *Ibid.*

# APPENDIX I

## EXTRACT FROM THE JOURNAL

## OF CAPTAIN PHILIP ST. GEORGE COOKE

Being a narration of the "Snively Incident," as reported in Captain Cooke's Journal, occurring on the Santa Fe Trail, at the crossing of the Arkansas River, June 30, 1843, while Captain Cooke's command was acting as escort to a party of traders traveling from Leavenworth to Santa Fe.

June 30th Mustered and inspected the detachment at six o'clock. Marched at eight and ten. After marching four or five miles I suddenly came in view of three horsemen about twelve hundred paces ahead, which I concluded must be Texan spies. I forthwith sent a sergeant and six men in pursuit. He returned in fifteen or twenty minutes at full speed, and reported that he had followed them without gaining on them, until they joined a large force on a lake, and that he had left his men on a bluff in observation. I immediately directed him to guide me, and increasing my post to a column of platoons, marched at the trot, ordering the wagons to follow at the usual gait, under charge of the rear guard. After proceeding through a short time, I saw the Arkansas River a mile off, and soon perceived a considerable force of men and horses about a fine large grove on the opposite bank. They raised a white flag as I approached. I immediately sent a lieutenant and a trumpeter with a flag, to ford the river, intending him to demand of their commander, if they had one, who they were and what they did there, to give him, or any one he might send, safe conduct over and back. I also instructed him to

observe their numbers and the ground, but more particularly whether the river was fordable by the detachment, telling him to cross and return at different places. When he was gone I arrived at the river shore and called a council of all the officers. All of them answered that they believed the Texans were in the United States, except two, who professed to be quite ignorant on the subject. I then said "Gentlemen, all, perhaps, could agree, that if the force is within the United States, it is my duty to disarm them. Now I put you the question. With what little fact of doubt there may be upon your minds, do you advise me, or not, to disarm these men, forcibly if necessary?" Lieutenant Mason, Lieutenant Bowman, Captain Terrett, and Lieutenant Love, after he returned, answered in the affirmative. Lieutenant Rucker had been employed in placing fuses in the shells, and he came to the council as the vote was about to be taken. He declined the responsibility of advising or voting, as he did not know whether they were in the United States or not. Captain Moore preferred, before answering, to see their commanding officer. Lieutenant Love, at that moment, returned, and brought

with him Colonel Snively, and his aide. I said "Sir, it is the belief of myself and my officers that you are in the United States. What is your business here? What force have you, and have you a commission? He replied that he commanded a Texan volunteer force of one hundred seven men, and believed them to be in Texas. He then produced as his commission the following document, which I read aloud to the officers, who were around me at the head of the column

Department of War and Marine,
Washington,
February 16, 1843.

TO:

Colonel Jacob Snively

Your communication of the 28th ultimo, soliciting permission from the government to organize and fit out an expedition for the purpose of intercepting and capturing the property of the Mexican traders who may pass through the territory of the Republic to and from Santa Fe, has been received and laid before His Excellency, the President, and he, after a careful consideration of the subject, directs that such authority be granted you upon the terms and conditions therein expressed, that is to say:--

You are hereby authorized to organize such a force not exceeding three hundred men, as you may deem necessary to the achievement of the object proposed. The expedition will be strictly partisan; the troops to compose the corps to mount, provision, and equip themselves at their own expense; and one half of all the spoils taken in honorable warfare to belong to the Republic, and the government to be at no expense whatever, on account of this expedition.

The force may operate in any portion of the territory of the Republic above the line of settlements and between Rio del Norte and the boundary line of the United States, but will be careful not to infringe upon the territory of that government.

As the object of the expedition is to retaliate and make reclamation for injuries sustained by Texan citizens, the merchandise and all the other property of all Mexican citizens will be lawful prize, and such as may be captured will be brought into Red River, one half of which will be deposited in the custom house of that district, subject to the order of the government, and the other half will belong to the captors, to be equally divided between the officers and men. An agent will be appointed to assist in the division.

The result of the expedition will be reported to the Department upon the disbandment of the force, and also its progress from time to time, if practicable.

BY ORDER OF THE PRESIDENT

(Signed) M. C. Hamilton.
Acting Secretary
of War and Marine.

I then, after some consideration, told Mr. Rucker to entertain the gentlemen, and called aside the other officers after some remarks, and again put the question, "Shall I, or not, disarm these men, doing it by bloodshed if they make it necessary?" I at the same time said that I should not consider myself bound by their advice or vote. Lieutenant Love and Captain Terrett responded "Yes." Lieutenant Mason, Lieutenant Bowman, and Captain Moore, "No." There was a short pause. I had been in the country before, and knew that the boundary line had not been marked by the government, but I believed it my duty to consider that the line ran on that side of me where the unanimous opinions of all who had the same opportunity of judging placed it, until the government should perform their duty of marking it. I knew that nothing had previously

occurred to interest or bias the common judgement. Besides the spies, I now saw many of their men crossing a mile or two below to the south side. I believe that a civilized government would scarcely acknowledge such a document, which, without an indication of the forms of regular organization, outrages all the rules of modern warfare, which scarcely allow the incidental destruction or robbery of private property on land. I believed [that] most of the ruffian crew before me to be outcast citizens of the United States, and felt assured that if the President of Texas had as good an opportunity of passing judgement upon them as on the navy of the "Republic," he would pronounce them bandits if in Mexico. These men, exceeding their instructions in that they had dared to send their spies into our country, to assist and enable them the more surely to assail our peaceful trade, above all, the safety and welfare of my fellow citizens depended on my decision. I could no longer hesitate. My government recognizing Texas as an independent nation, I deemed it my duty to recognize this as her army. We then returned, and all being seated in a group upon the grass, with many veteran

faces closing up the background, I addressed the Texans. "Gentlemen, you are in the United States. I believe the line has never been surveyed and marked, but all the world agrees that it strikes this river about or above the Caches. You admit that point is above this. Some believe it as high as Chanteaus Island, sixty or seventy miles above that point. Now, all the best writers on national law agree that no power in its warfare against another has a right to enter a neutral's territory, there to be in wait for his enemy, or there to refresh himself, afterwards to sally out and attack his force or his citizens, or his property, and it is the rightful power and duty of a neutral in such cases to disarm the intruders and send them wherever they please, through, or out of, their territory. I remember a precedent distinctly in the Polish Revolution of 1830, when a large Polish Force, retreating, passed the Austrian frontier, and they disarmed and escorted them on their way to another point on the boundary. Now, there are twenty of the men of your command on our road, which I believe to be spies against the caravan, a caravan of peaceful traders between the United

States and a friendly power, a trade which it is our wish to protect, and which you profess your determination to attack. Now, Mr. Snively, I demand of you that your men march across this river and lay down their arms before me. Then, as you say you are in want of provisions, I will return enough to you to subsist yourselves wherever you may go, and you have free permission to enter the settlements of the United States. The arms I shall hold subject to the orders of my superiors. They will probably be sometime returned to you, beyond our frontiers. I have one hundred eighty five soldiers, besides officers and two howitzers, which will throw shells into the grove you are encamped in. You are at liberty to inspect them. I wish to treat you as friends. My course is legal, and it will be honorable for you to surrender. You should do so at the demand of a civil magistrate. I would make it, the same, if I had ten thousand, or only ten, men. But I, of course, can make no child's work of it, which a demand would be without enforcing it. Go over to your men, who, as you say, you doubt will obey you and I will give you an hour to commence crossing. If

any leave the grove in an opposite direction, I shall instantly discharge my howitzers among them, and then drive you from the woods and attack you on the plains." Mr. Snively and his aide then made various arguments in deprecation of my course, among others, that by national law, a power at war had a right to pursue an enemy twenty miles into a neutral territory, that they had seen lately two or three thousand Indians whom they feared. They made, also, several propositions, evidently, I thought, with a design to get their men out of my power so as to gain an advantage. One was that I should send an officer over with them to see their almost starving condition, and to satisfy himself that a party of seventy five had, being discontented, departed three days before to Texas. Snively said he had given them an order to save them from being treated as bandits. He admitted that he had been elected to command the party since the date of the document he had shown us. They said they had attacked one hundred Mexicans ten days before fifteen or twenty miles west of the Caches, had killed eighteen and wounded eighteen, taking the rest prisoners, whom he had afterward

liberated, returning them twenty muskets, and that they were returning to Texas, having become convinced that the caravan had returned. He stated that the Mexicans had been armed with "new British muskets." He admitted that their spies had gone with Mr. Bent's party to Walnut Greek, about seventy five miles northeast of this point. I had taken it for granted that his men could and would ford the river directly across to my point, where Mr. Love had first crossed, but I now learned that he had swum his horse, and their officers, if such they are, were now going to a point about a mile lower, where Mr. Love had returned. This made another disposition advisable, and I proposed to Snively that I should march my men back with him. To this he and his friend cheerfully assented. They even seemed pleased at it. Accordingly, I marched down, had the bank spaded a little, and in a gale of wind plunged first into the river, bidding the howitzers follow. It was about three hundred paces wide, and in places nearly swimming. I had sent in a man about one hundred yards above, and his horse went immediately out of depth, and, with difficulty extricated himself. The howitzer

ammunition boxes were water-tight. The baggage was left under a guard. My command passed in safety, and I marched on up the river, keeping just out of rifle shot both from the hills on my left and the timber to the right, turning opposite, and forming in order of battle at about one hundred fifty paces. The battery was unlimbered and the slow match lit. Colonel Snively had sent his side in advance at the moment we ascended the river bank to address the men and induce them to submit. They were paraded, and I waited possibly half an hour. Snively remained with me from choice. I then rode up to him, and demanded that he should go and send his men immediately to deposit their arms fifty paces in front of my lines. He said he would do so, and if alive would return to me; that he would have nothing more to do with them. He went, and my demand was soon complied with. I directed Captain Terrett to advance with his company, sabres drawn, and receive the arms, sending some rear-rank men of the Second Squadron to put them into the wagon. There was an interruption, the aide addressing the men, and they were becoming much excited. I stopped this and took the arms and

had them discharged. I sent a party to examine the ground and seize all rifles or pistols that could be found there. They brought some back. I then allowed ten to take back their guns, for hunting, and finally returned to Snively a pair of small pistols. The arms were put into the wagon. The Texans then made a clamor, clamoring to be treated as prisoners. I told them they were not prisoners, and that they must address me through their officers, if they had any, with whom I would arrange their treatment. They also now demanded escort and protection to the United States. This I told them I would probably do, as a favor. "Colonel" Warfield claimed to have made a special surrender as my prisoner, saying that he "stood alone." I replied that "I certainly would not leave him so on the prairie." I had found him as one of the Texans, sharing with them. He should not certainly be left alone. He appeared desirous of surrendering his rifle into my hands. I did not gratify him. "Colonel Ryburn" was stated to be with the seceding party. Their officers, Snively told me, generally remained, and he said that they had not many of them guns, which I do not believe. There

have been attempts by individuals to slip off, up the river and over the hills. I had them seized and occupied the hills with a picket guard. It was during this time that I obtained a copy of Snively's "commission." Everything went to prove that there was no regular military control amongst these men. Many of them admitted,--remarked--, that there had been no organization nor government since the party left them, there was not, save firearms, the slightest sign of military rank or equipment, but a profusion of Bowie knives seemed to mark their character individually and collectively. A man had been murdered among them, they said, just before I arrived, and Snively said, "that he must keep guns enough to shoot the fellow this evening." I now sent Captain Terrett's squadron to scan the woods below the bivouac, where they were very thick, and marched back, crossing at the same place, and encamped opposite at half past three o'clock. Captain Terrett made no discovery, and crossed back with the command. At the moment of my departure to cross first, I sent an express on my trail to meet the caravan, and tell them that I was about to disarm one hundred Texans, that they had reported that a large party had left the coun-

try, that I did not believe it and to be on their guard. I met the man on my return, and he reported the caravan two miles off. I then sent again a brief note, written on horseback, telling the result, and that I should encamp here. Soon after they brought their wagons from the hills and stopped by me for the night. Soon after a man came to me from the Texans, nearly exhausted from swimming the river, with a message that the Mexicans were in sight, about to attack them. I wrote a brief note to Snively and sent it by a horseman, telling him that if it were true, to cross the river below me, and I should defend him. As there was much stir and confusion around my camp, I had, "To Horse" sounded and the squadrons were soon mounted on their assembly grounds. I soon received a message that it was a false alarm, but soon after a note was sent, of which the following is a copy. "Captain Cooke. Dear Sir. The man who was wounded when I visited your camp today is expiring. It will be impossible to remove him at present. If you would send a company to guard us tonight I would consider myself under many obligations. Very respectfully, your obedient servant, J. Snively."

I returned for answer that I believed that there was no danger, and could not comply. If there was danger, to come over, and have the man and a few others hid in the woods. Now a committee of the caravan called on me to discuss matters. A principal one said that I"ought to have slaughtered them all," and they seemed at first discontented that the Texans should be free. It has been ascertained that they first gave me false accounts of the other party having left "three days before," they having separated the morning before. They left me soon after dark, apparently well pleased. And now, after sixteen hours of unintermitted labor and excitement, I lie down to rest with a mind untroubled; satisfied that I have acted only from a stern sense of duty. That having from my childhood devoted myself to the acquirement of knowledge of my profession and to those subjects which to men of enlarged liberal views are of a kindred nature, I have not failed in the moment of action to correctly perceive and accomplish the duties, the rights and interests of my government in the sphere of the trust with which they have honored me.

July 1st. The Captain and principal traders of the caravan came to me early and announced their intention of crossing the Arkansas at the usual place, on their arrival. I then told them, to make them more safe, if possible, I would take a measure which, however, would make it necessary, as it promised to be convenient and suitable, that I should return from that point, that I would divide my force and rations in such a manner that we must return to the east. There was much haste in making the arrangement. The Texans having failed, any of them, to cross this morning, as had been promised, and having reason to believe that no military authority existed among them (Warfield had told me so in my camp), and fearing that the armed men would leave the others to starve, and seek new adventures, I determined to comply with the clamorous request, which most of them had made to me, and to give them escort as far as necessary toward the United States. Accordingly, near eight o'clock, I sent the Second Squadron across to bring them all over the river. All came except those who stayed with the armed men. The other squadron was in the saddle when they arrived. I

broke the subject first to Snively, who made a great difficulty of leaving, or carrying so soon the wounded man, said a very small party would not be safe with him, and would have to be armed for their protection. That he and the others would greatly prefer going to Texas, if they took but five of the guns. I addressed the Texans, and told them, on the conditions, just mentioned, those who chose might return to Texas, and that I should escort the others toward the United States settlements beyond danger from prairie Indians, to the verge of the buffalo range, where they could remain for some days curing meat. It was necessary that the escort remain among the buffalo. Whilst their arrangements were making, Snively admitted that the men had been disorganized since the departure of the seventy five men. Fifty men having been divided from the rest, to be escorted toward our settlements, including the "aide," I asked who was the "senior of forces." The "aide" said he had no commission, and finally, a "lieutenant" pretended to take command. Warfield I then called up. I had almost determined to take him to Missouri, a prisoner, charged as a citizen of the United States,

with making war upon, or murdering and robbing, the citizens of a friendly power. I asked him if he was a citizen of the United States. He replied that he was a citizen of Texas; had lived there for a year. I asked him if he had a commission. He exhibited one to me signed "Sam Houston." It was not regular, but empowered him to grant commissions without limit. It did not designate any arm or corps of which he was made "colonel." I asked him if he did not get that commission as soon as he arrived in Texas. He answered "Yes." It was dated, I believe, last July or August, and I believe he had not been in Texas since. I then dismissed Warfield, fearing to meddle with the municipal law, even in Texas. What might invest the name of President with the virtues of conferring the patents of citizenship, as it seemingly possesses that of delegating a power upon one citizen of the United States of granting commissions of Lieutenant Colonel, Major and Captain to others. Thus, McDaniel, who committed the most atrocious murder of the time, and on this road, was said to be a Texan citizen. Warfield joined the Texan party. When I told them to leave our territory as soon as possible

they promised to comply. The other party marched immediately under charge of Captain Terrett, with sixty men of his squadron, leaving two thirds rations of flour for ten days. I then marched ten miles westward up the river bottom, and joined the caravan, who had turned out their mules to graze, as usual. Five miles further I passed the point called the "Caches." There is a ravine and a solitary tree. The river runs near by. At five o'clock I encamped four below on the river bank. The traders stopped a short distance below. Buffalo were seen yesterday, in large numbers, about the Texans, south of the Arkansas. They pretended to have crossed for the sole purpose of hunting. Sergeant killed two last night but we have seen none today, though the traders saw and killed some to the south of the river. Wind today north and very disagreeably high.

July 2nd. Marched this morning at seven fifteen, the caravan wagons just in rear. The road led immediately in a northwestern direction and upon the hills. A little after eleven o'clock we descended to the river again, and I put out the horses to graze. The traders not coming in sight, I sent to

learn the cause between one and two o'clock, and marched at three before learning. We had again to descend the hills, and I found it impossible to leave them or stop to encamp short of nine miles, when I descended to the river bank and the crossing, where I encamped. The men sent back now returned, and reported that an arch tree had broken. There had been some difficulty for a week past to find grass for the horses. Here it is tolerable. The high table land and the bluffs, which have been necessarily passed over are clothed exclusively with the hard, smooth sod of the buffalo grass. The view, as we turned to descend, was picturesque. To the left on both banks the high hills are widely broken, or washed into the white sandy peaks and chasms. To the right, the river, departing from its casual sameness, so seldom adorned by groves, formed large wonder islands, etc, winding into deep curves through a deep savannah. Was relieved by groves beyond, the first place that I have seen trees at a distance from the bank, and I thus recognized a spot, where, fourteen years ago, I killed a buffalo; but not a tree, as usual, was on our shore. I saw three men wade one hundred yards,

cut off a snag, and haul it with ropes to the banks for fuel. Thirty seven miles we have marched without seeing a buffalo, our meat was out, a cow was about to be slaughtered, when, afar off, two buffaloes were seen coming over a hilltop toward the river. This was a repreive for the poor cow. A bull was chased and killed, but too late for supper. Never before, did I travel half a day, on this part of the Arkanses, without seeing a buffalo, the Texans and Comanches having hunted them until they could stay no longer. As I rode along, in advance, over the high hill, they seemed wonderfully lonesome. With the buffalo, all animals seemed to have departed, not even the impertinent bark of the little prairie dog fell upon the ear; the wind had strangely lulled; a bright and sunny day, and not too warm. I was seized with an impression that it must be a Sabbath day, and, calculating mentally from Saturday, the 27th of March, when we marched, I find that it is indeed Sunday.

July 3rd. This morning is perfectly clear. Wind south, so cold at seven o'clock as to make the great coat over woolen clothes necessary to comfort. I sent at daylight for the buffalo. The party

returning brought with them a Mexican Indian. He speaks Spanish, and says he was of the party defeated by the Texans June 20th, that he had been lost about a week with another who was wounded and died last night. This account, which stood cross-questioning, disagreed with the Texan story in these important particulars. That there were but fifty of them, armed with bows principally, and poor Mexican guns, and that they had returned to them when liberated but three. One hundred and eighty American rifles bravely attack forty eight Mexican mongrels, slaughtering thirty or forty, without receiving a scratch. He states further that they had left Governor Armijo with four hundred men at some point ninety miles off, where he had built wooden houses, or a fort, and that he had sent two hundred men to the Semirons. The Texans had deprived his party of all their mules and horses. The caravan arrived before eleven o'clock, and encamped just below. They cross tomorrow. I have received here a letter from them on the subject of the disarmment. Wind high today, east of south. The east wind seems to lose here some of its rain bringing quality. A small hunting

party today, saw, over the river in the edge of the sand hills, two wild Indians. No doubt Comanche spies. They have a mortal dread of dragoons and will not come near.

July 4th. The sun this morning was saluted by the discharge of a shell. It exploded as it struck beyond the river. The Mexican drivers, when they saw it explode, and heard the report, thought it was the Texans firing back on us. Captain Moore, in chasing buffalo yesterday, got a severe fall, which has placed him on the sick list. This morning Corporal Van Alstine, of Company F, has broken his arm in the same manner. A great danger of the chase is the great number of holes in the prairie, made chiefly by prairie dogs, those lively drudges, who make habitations for owls, snakes, etc. These accidents are the result of necessary hunting on the smallest scale. Three men reached here this morning, express, three days from Bent's Fort, with the information of the Texans being here in force, as they were a week ago when Mr. Bent heard of them. These men saw a party of Shians and Arapahoes at Choutran's Island, forty miles above, and also report some thousand of Comanches and Kiowas

in the neighborhood. This agrees with the Texan's story. The Shian Indians wander between the upper waters of the Arkansas and Platte Rivers, living, like the Arabs, in skin tents, or lodges, and following, not driving their flocks,--the buffalo--, to pasture. They are about five thousand souls, armed generally with guns, which they procure at the trading houses,--sun-dried, brick forts,--of American trading companies on both rivers, exchanging buffalo robes and some beaver. They are now friendly. What has been said of them applies equally to the Arapahoes. They live in friendship, often intermarry, and can discourse together. With the Kiowas and Comanches, Mr. Charles Bent made here last summer a kind of peace, or truce. They asked for traders amongst them, and in the fall he established a house about two hundred miles to the south, on the Canadian River. They abide on the waters of the Arkansas. They, too, are nomads, following the buffalo for a living. This animal is everything to them, food, clothing, and lodging. The Comanches are about fifteen hundred lodges, say about six thousand souls. The Kiowas number about twelve hundred. They refused, at the council on

the Brazos River, to make peace with the Texans, and alike made war on Mexico. Last winter, near Chi-hua-hua, they took one hundred and fifty women and children prisoners, having slain the men. They robbed them of horses and mules. These, besides buffalo robes, they offer to Mr. Bent. He declined the mules for fear of their stealing them. I had heard at Walnut Creek of a war party of about five hundred of these Indians about to cross my front to attack the Pawnees of the Platte. These latter are at war with the Sioux, and have been immemorially, the Shians, and the Arapahoes, the Comanches, Kiowas, and Mexicans. The Shians are warlike. The Comanches, Kiowas, and Arapahoes are generally cowardly in attack, but some think them as brave as the Pawnees, of whom they have slain about two hundred in the last year or two. In this battle the Pawnees were the aggressors, and were probably far from home. We have discovered today, another Mexican among the sand hills, I am told. With that of the other, he says they were forty eight in number. The traders are crossing their wagons in a gale, as is so usual in this open country. Some hundred mules and oxen and half as many

Mexicans, floundering incessantly in the water, sound like a great waterfall, dashing with yells of encouragement to the mules. The last wagon is over. Ten hours were consumed in crossing. I have received a letter from the company thanking me for my efficient protection.

July 5th. We saw this morning two Mexicans over the river lance to death two buffalo bulls. The Mexicans are fine riders, and would be formidable if they would only fight. I marched early to return. Touching for water at two points of the river, at one of which there was a well when I had encamped, the camp was established for the night five miles below the "Caches," at a bend of the river touching the road. Here, in a flat bottom, is better grass than has been found at any other point. Buffalo were found today, returning to their wonted haunts. Two were killed in the forenoon. The wind southeast. Very high, as usual, and very warm and bad for the eyes. There has been little or no dew for a week. The command again received full rations of flour. The march toady, twenty five miles.

July 6th. Marched early. When about to pass within two miles of Jackson Grove, I detached an officer and thirteen sabres, to cross the Arkansas and observe the Texan Trail, etc. He rejoined me again at noon, six

# APPENDIX II

Adjutant General's Office
Washington, April 24, 1844.

General Orders
No. 19.

The Court of Inquiry, which convened at Fort Leavenworth, Missouri, the 2nd day of April, pursuant to General Orders No. 6, of February 28, 1844, to examine into and report the facts and its opinion relative to the manner in which Captain P. St. George Cooke, of the Regiment of Dragoons, discharged the duties which had been assigned to him for the protection of the caravan of Santa Fe Traders over the territory of the United States to the Texan frontier in May and June, 1843, reports the following:--

## OPINION

In view of the foregoing facts, the court is of opinion that Captain P. St. George Cooke, of the Regiment of United States Dragoons, on the 30th of June, 1843, disarmed a Texan force under Colonel Snively, within the territory of the United States, by causing

them to lay down their arms, under an appropriate exhibition of military force of the United States Dragoons; and that there was nothing in the conduct of Captain Cooke that was "harsh and unbecoming."

The court is further of opinion that Captain Cooke did not exceed the authority for the protection of the lawful trade of the Santa Fe caravan, "derived from the orders of the Secretary of War to the Commanding General of the Army, dated March 28, 1843, and of the Adjutant General to Colonel Kearny, dated March 29, 1843," and that the confidence reposed in him by his government was not, "in any degree misplaced."

(Signed) S. W. Kearny,
Colonel, U. S. Dragoons.
President of the Court.

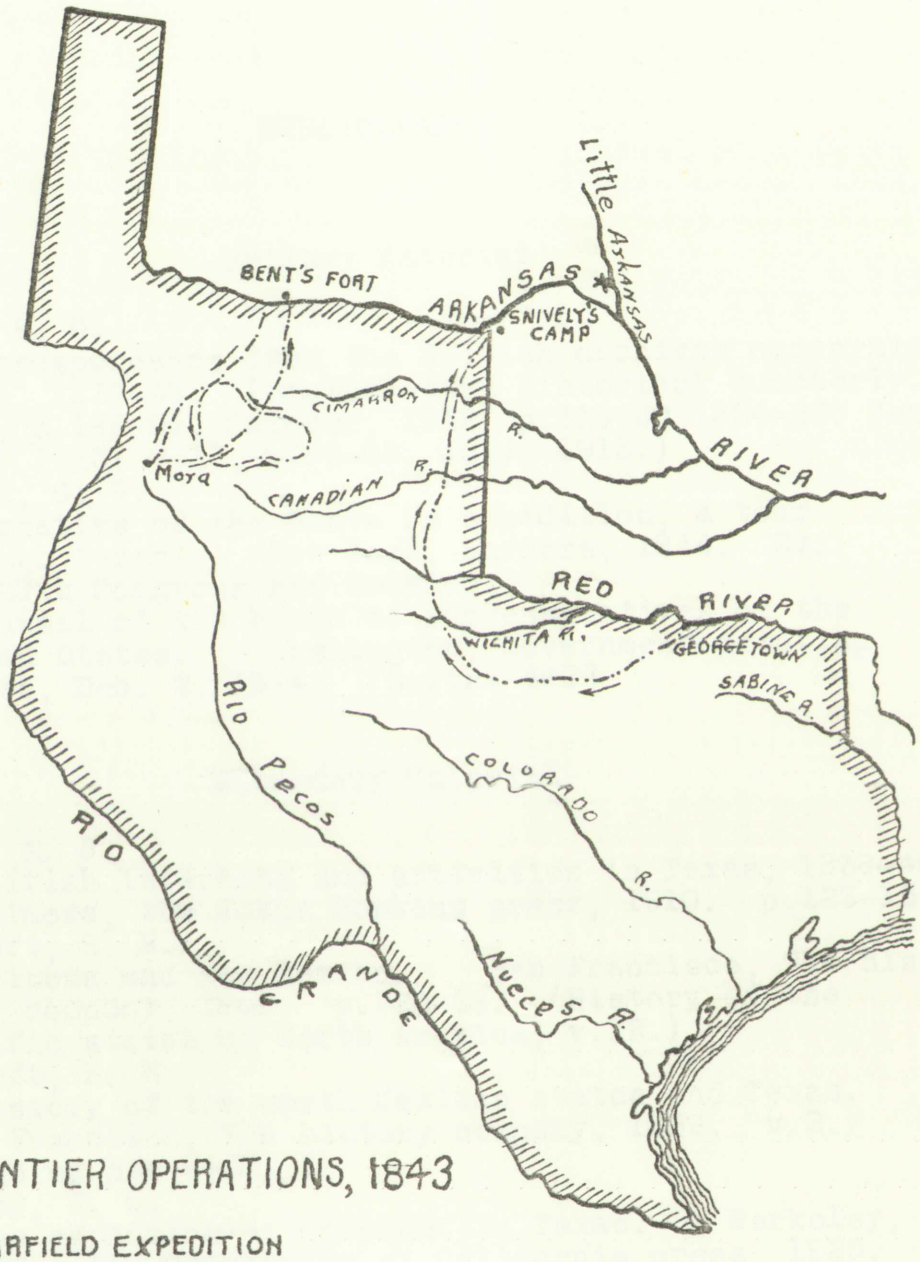
(Signed) H. S. Turner
1st Lieut. & Adjutant Dragoons,
Recorder of Court.

The proceedings in the foregoing case have been laid before the Secretary of War and are approved. The Court of Inquiry of which Colonel Kearny is President is dissolved.

BY ORDER.

(Signed) R. Jones.
Adjutant General.

APPENDIX III




TEXAN FRONTIER OPERATIONS, 1843

—·—·— WARFIELD EXPEDITION
—··—··— SNIVELY EXPEDITION
✳ McDaniel Attack on Chavez

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