

## CHAPTER III

### MEMBER OF CONGRESS AND GOVERNOR OF TENNESSEE

AFTER leaving the army Houston determined to become a lawyer, which in those days in the Southwest was synonymous with politician. For this career he doubtless felt his remarkable fitness and vocation as a popular orator and manager of men. He had contracted some debts while in the service, on account of extra expenses caused by his wounds, and he sold his only piece of property, some land, to pay them; it failed to do so entirely, and he began his new life some hundreds of dollars in debt. He entered the law office of Hon. James Trimble in Nashville, and was admitted to the bar after six months' study. It may be supposed that the examination was not very strict, and the requirements of technical knowledge not very exhaustive. Andrew Jackson had been made a district attorney without knowing how to spell, and a knowledge of the intricacies of the law and the precedents of the courts was of much less consequence for a successful practitioner than a flow of popular oratory for the jury, and a courage to hold one's own with the fighting attorneys, who occasionally supplemented the heated debate in the court room by a personal encounter outside. At any rate Houston never

was and never pretended to be a lawyer in the professional sense of the term. He was the political attorney in Tennessee, using the opportunities of the court room to show his powers of rough and ready eloquence, and to obtain professional and political office ; and in Texas, during the rare intervals when he was not holding some public position, he sometimes went on circuit and made effective stump speeches to juries in criminal cases. But he never studied and never knew anything of the law beyond those general principles which are readily appreciated by a strong and capacious mind, and the easy and slipshod requirements of frontier practice. In this he was probably not inferior to most of his associates, and was able to hold his own with credit and success among the attorneys who traveled the circuits of Tennessee, with their libraries in their saddle-bags and a ready tongue and pistol as their chief requirements for successful practice.

After being admitted to the bar Houston settled in Lebanon, Tennessee, bought his books on credit, and hired an office at a dollar a month. He was received with much kindness by Isaac Golladay, a merchant and postmaster of Lebanon, who sold him a suit of clothes, let him have his letters on credit, and introduced him to his friends. One of the pleasant glimpses of Houston's personal life is given in a letter of a son of Isaac Golladay, to whom Houston manifested his gratitude for his father's kindness, while sick and a stranger in Texas :—

“I was traveling in Texas in 1853. Arrived at the town of Huntsville, Walker County, on Sunday at about eleven o'clock. The good people of the town and the vicinity were passing on to the church as I rode up to the hotel. I was very sick; had a high fever on me when I dismounted. I told the landlord I was very sick and wanted a room; he assigned me a room and was very kind in his attentions. I took a bed immediately, and while talking to him asked him in what part of the State General Houston lived. He replied, ‘He lives about one and a half miles from town, and his family and he have just passed, going to church in their carriage.’ To this I said, ‘Please keep on the lookout, and when he returns from church let him know that a Golladay of Tennessee is lying sick here!’ After the church hour was over, say twelve or one o'clock, a large, portly, elegant-looking man came walking into my room and to my bedside. I knew from the description which I had had of him that it was General Houston, although I had never seen him. I called him by name. He asked me if I was the son of his old friend, Isaac Golladay, of Lebanon, Tennessee. I replied I was. He then asked me which one. I told him I was Frederick. He said he knew my elder brothers, but he had left Lebanon before I was born, but added, ‘If you are the son of Isaac Golladay I recognize you as the child of an old and true friend. I went to Lebanon, where your father resided, a poor young man; your father furnished me an office for the prac-

tice of law ; credited me in his store for clothes ; let me have the letters, which then cost twenty-five cents postage, from the office of which he was postmaster ; invited me to his house, and recommended me to all the good people of his large general acquaintance.' He then said, ' You must go out to my house. I will come in my carriage for you in the evening.' I replied with thanks that I was too sick to go, but he insisted on coming for me the next morning, to which I consented. Early the next morning he came for me ; being better, I went out to his house with him. He placed me in a room in his yard, saying that Mrs. H. was confined to her room with an infant at that time. My fever rose and kept me confined. He sent for a physician. I was sick there for about ten days or two weeks. He made a servant-man stay and sleep in the office with me, to wait on me all the while, but would often come and see me, and spend much of his time with me. One night, especially, while I was sick, the doctor had left orders for my medicine to be given me during the night, and my feet bathed with warm water. He stayed all night with me. He had the vessel of warm water brought, pulled off his coat, rolled up his sleeves, to wash my feet. I objected, the servant being present. He replied, ' My Master washed His disciples' feet, and I would follow His glorious example,' and insisted that he should do so. During the time which he spent with me in my sick room, he gave me much of his early history."

Houston soon began to be a figure in public life.

His remarkable gifts for popularity, the impressiveness and friendliness of his manners, his natural powers of adaptability to all societies, which made him as much at home while telling stories on a store-box or a wagon tongue as in a parlor, and his cultivated dignity of port and gesture gave him the essentials of political success. He was, besides, the friend and devoted follower of Andrew Jackson, who exercised a sort of political kingship in Tennessee in those days. While practicing law in Lebanon he was, in 1819, appointed Adjutant-General of the State with the rank of colonel, and in October of the same year he was elected prosecuting attorney for the Davidson District, which necessitated his removal to Nashville. After his curious egotistical and sentimental fashion he addressed a farewell to the citizens of Lebanon from the court-house steps, in which he said, "I was naked and ye clothed me; I was hungry and ye fed me; I was athirst and ye gave me drink," and moved the hearts of his hearers to such a degree that, according to the contemporary account, "there was not a dry eye in the whole assembly." Houston performed his duties as prosecuting attorney with success and *éclat*, but resigned the office on account of the insufficiency of the fees. He continued the practice of law in Nashville, and in 1821 was elected major-general of the Tennessee militia, a wholly political and mainly honorary office.

In 1823, when thirty years of age, Houston was elected a Representative to Congress from the ninth

district of Tennessee under the new apportionment. Houston served in Congress for four years without special distinction, occasionally taking part in the debates, and acting as a member of the Jackson wing of the Democratic party. Jackson had been elected a Senator by the Tennessee legislature shortly after Houston's election as Representative, and both were members of the Committee on Military Affairs. Houston in common with the other Jacksonian members opposed the resolution offered by Henry Clay, then Speaker of the House, for an inquiry into his political conduct, made personal by the charges of George Kremer, a Representative from Pennsylvania, in the newspapers, of a corrupt bargain by which John Quincy Adams was to be elected President and Clay made Secretary of State. Houston issued an address to his constituents giving as reasons for this opposition that it would be simply a political investigation and that the proper remedy for the personal grievance would be found in the courts. The main purpose of the circular, however, was to intensify the popular indignation at the defeat of Jackson, who had obtained a plurality of the electoral votes, and to strengthen the feeling which carried Jackson into the presidential chair at the next election by an overwhelming majority. Houston's address was written in that forcible and dignified language, which he always had at his command when dealing with questions of state, and indicated that he had received a valuable education in the comprehension and treatment of pub-

lic affairs by his experience in the halls of Congress. Congress at that time contained a number of notable men, including Daniel Webster, Henry Clay, John Randolph, the veteran of the House, the venerable Nathaniel Macon, and others, and the debates and the consideration of public affairs were on a plane which could not but have afforded a man of Houston's quickness of mind and enlarging capacity very important lessons of comprehension and dignity. Houston's eccentricities were generally kept for an appropriate audience, and there is no reason to doubt that as a Representative in Congress he conducted himself as a sober-minded and practical legislator, if he did not distinguish himself beyond the lines of a political follower of Andrew Jackson, or make a special mark as a debater.

It was during Houston's second term as a member of Congress that his first and only serious duel took place. The appointments of postmasters under the new Federal Administration were naturally not of the Jackson-Houston party. One Colonel Irwin had been appointed postmaster at Nashville, and Houston had expressed his opinion about him with that vigor which always characterized his animadversions upon his political opponents. Houston's words were carried to Colonel Irwin, and it was understood that he would hold him personally responsible for them on his return to Tennessee. Colonel Irwin selected as the bearer of his challenge one Colonel John T. Smith, a noted desperado of Missouri; Houston's

friend, Colonel McGregor, refused to accept the challenge from Smith's hands. The challenge was offered and refused in front of the Nashville Inn, McGregor dropping the paper to the ground as it was handed to him. No encounter followed between Smith and McGregor, as was expected, and the news of the action was taken to Houston, who was in a room of the inn with some of his friends. General William White, who was present, expressed himself to the effect that Smith had not been treated with proper courtesy. Houston overheard the remark, and said to White, "If you, sir, have any grievance, I will give you any satisfaction you may demand." White replied, "I have nothing to do with your difficulty, but I presume you know what is due from one gentleman to another." Nothing farther followed at the time, and it was soon spread about the streets of Nashville that Houston had "backed down" General White. This attack upon his courage reached the ears of General White, and he sent a challenge to Houston, which was promptly accepted. An attempt was made by the sheriff to arrest them both for the preservation of the peace, but Houston escaped to the house of a friend in an adjoining county, and sent word to White, who had also evaded arrest, that he was ready to meet him across the state line in Kentucky. The duel was fought at sunrise, September 23, 1826, at a noted dueling-ground in Simpson County known by the name of Linkumpinch, just across the Tennessee line, and on the road from Nash-

ville to Bowling Green. White was severely, and it was supposed at first mortally, wounded, having been shot through the body at the hip. Houston escaped untouched. As they took their places to fire Houston was observed to slip something into his mouth which he afterward explained was a bullet, which he had placed between his teeth on the advice of Jackson, who said that it was good to have something in the mouth to bite on,—“It will make you aim better.” On the evening of the day of the fight a large crowd was gathered at the Nashville Inn to hear the news, and among them General Jackson. Presently one John G. Anderson, “a noted character” and a friend of Houston’s, who had witnessed the duel, came dashing over the bridge on horseback with the news that Houston was unharmed and White mortally wounded. The grand jury of Simpson County in June, 1827, brought in an indictment against Houston for felony in shooting at William White with intent to kill, and the Governor of Kentucky issued a requisition on the Governor of Tennessee for his surrender. It was not complied with on the ground that the facts showed that Houston had “acted in self-defense.” In fact a prosecution for such an offense in those dueling days must have been understood as a farce, and the fight undoubtedly increased Houston’s popularity as an evidence of his “game.”

Houston’s bitter and abusive tongue frequently got him into personal difficulties in which the “satisfac-

tion of a gentleman" was demanded by his antagonists; but he never fought again, while sober, and was equally ready with a lofty assumption of dignity or a joke to avoid the necessity. To a challenge from a political inferior in Texas he replied that he "never fought down hill." On another occasion, when called to account by a gentleman whom he had been denouncing, he said, "Why, H., I thought you were a friend of mine." "So I was, but I do not propose to be abused by you or anybody else." "Well, I should like to know," said Houston, "if a man can't abuse his friends, who in h— he can abuse," and the affair ended in a laugh. Mr. John J. Linn in his "Reminiscences of Fifty Years in Texas" tells the story that Houston and ex-President Burnet had an acrimonious newspaper controversy in which they bandied abusive epithets until finally Houston accused Burnet of being a "hog-thief." There was no retort in Texan phraseology capable of over-matching this, and Burnet sent a challenge to Houston by Dr. Branch T. Archer. "What does he predicate the demand upon?" said Houston in his loftiest manner. Archer replied that it was for his abuse of Mr. Burnet. "Has n't he abused me to an equal degree? He has done so publicly and privately until I am compelled to believe that the people are equally disgusted with both of us." Houston's dignity of manner overpowered Archer, and he took back the challenge. Houston received challenges from President Lamar, General Albert Sidney Johnston and Commodore E. W. Moore of

the Texas navy, and a good many others, which he did not accept. On one occasion being visited by a gentleman with a warlike message, he took the challenge and handed it to his private secretary with instructions to indorse it "number fourteen," and file it away. He then informed the expectant gentleman that his affair must wait its turn until the previous thirteen had been disposed of. It is perhaps a wonder that he preserved his reputation for courage in such a community as that of Texas, while persistently declining to fight, but it does not seem to have been seriously doubted. In a speech to his constituents at Tellico, after his duel with White, Houston said that he was opposed to dueling, but had been compelled to fight in defense of his honor. "Thank God," he said, "that my antagonist was injured no worse." There is no record of how his affair with the Nashville postmaster terminated, but it certainly led to no more fighting.

This same year, 1827, Houston was elected governor of Tennessee by a majority of 12,000 over Newton Cannon, and Willie Blount, the old "war governor." Houston doubtless owed much to his personal popularity, but his nomination and election were due to the fact that he was the representative of the personal party of Andrew Jackson, which his competitors opposed. Of his appearance at the time of his election there is a vivid and minute portrait in the reminiscences of Colonel D. D. Claiborne of Goliad, Texas, who saw him with the eager and impression-

able eyes of a boy. It shows Houston in that theatrical and sensational manner of dress which was a characteristic of him as long as he lived, and which only his magnificent physique and lofty manner could have prevented from seeming ridiculous and puerile. Says Colonel Claiborne : —

“He wore on that day (August 2, 1827) a tall, bell-crowned, medium-brimmed, shining black beaver hat, shining black patent-leather military stock or cravat, incased by a standing collar, ruffled shirt, black satin vest, shining black silk pants gathered to the waistband with legs full, same size from seat to ankle, and a gorgeous, red-ground, many-colored gown or Indian hunting-shirt, fastened at the waist by a huge red sash covered with fancy bead-work, with an immense silver buckle, embroidered silk stockings, and pumps with large silver buckles. Mounted on a superb dapple-gray horse he appeared at the election unannounced, and was the observed of all observers.”

But however bizarre and fantastic was Houston's appearance on election day, his practical good sense and statesmanship were manifested in the office; and his executive administration was successful, and his legislative recommendations conservative.

Houston was a candidate for reëlection for a second term against the formidable opposition of General William Carroll, who had commanded the left wing of Jackson's army at New Orleans, and had been Governor of Tennessee for three terms previous to Houston's election; he was ineligible for the fourth

term in succession owing to the prohibitive provision of the State Constitution. The canvass was proceeding, apparently in Houston's favor, when the event occurred which put an end to his successful career as a politician in Tennessee, and apparently ruined him forever. On the 16th of April, 1829, he sent in his resignation to the Secretary of State. In January of that year Houston had been married to a Miss Eliza Allen, daughter of a wealthy and influential family of Sumner County, which was numbered among his political friends and adherents. After three months of marriage his wife left him and returned to her father's house. Houston wrote to her father, asking him to persuade his wife to return, but she refused, and he threw up his hold on fortune and life. The cause of the trouble between Houston and his wife has never been definitely revealed. The only words which he ever wrote on the matter were contained in a letter in which he said: "Eliza stands acquitted by me. I have received her as a virtuous, chaste wife, and as such I pray God I may ever regard her, and I trust I ever shall. She was cold to me, and I thought did not love me." The most probable explanation is that the young lady had been induced to marry Houston to gratify the desires of her parents, who were attracted by his brilliant political position and prospects, while her affections had been given to another. The intimacy of married life revealed her coldness or repugnance to her husband, and in a moment of quarrel she avowed the truth, and left him. Houston's "high-

strung" spirit and personal vanity were deeply wounded, and he acted with all the dramatic intensity of his nature.

There was the wildest excitement in the frontier community over such an explosion of scandal. Houston's enemies circulated the most outrageous reports concerning his conduct, and the mystery, as it generally is, was interpreted at its worst. For a time there was the prospect that he would be subject to personal violence and that there would be bloody affrays in the streets of Nashville over the affair. His friends rallied around him, but he left Nashville in secret, some say in disguise, and went to bury himself among his old friends, the Cherokees, a portion of whom had removed from their homes in Tennessee to the Indian Territory.

Nothing could ever be extracted from Houston as to the cause of the separation between himself and his wife, even when he had lost his self-control from drink, and whenever he spoke of her it was in the most respectful terms. Sometimes he took the inquiries good-humoredly, as when he replied to Hon. J. H. Reagan, afterward Postmaster-General of the Confederacy and United States Senator, who, while traveling with him in Texas on the way to a conference with the Indians at Grapevine Springs, had called his attention to a long, pretended account of the affair in a newspaper. Houston merely said, "There has been a great deal written on that subject by men who know nothing about it. It is an absolute

secret and will always remain so." At other times he resented an inquiry as an unwarranted obtrusion into his private affairs. During his early residence in Texas, and when he had no home of his own, Houston spent a good deal of his time at the house of Colonel Phil Sublett at San Augustine. One night he came home so intoxicated that he was unable to mount to his chamber, and was accommodated with a pallet on the floor. Colonel Sublett thought this a good opportunity to obtain a knowledge of the mystery, and began to question him on the subject. This sobered as well as angered Houston, and he called for his horse, declaring that he would not remain longer in a house where an attempt was made to take advantage of his condition to extract his secret, and he was with difficulty pacified by an apology.

Mrs. Houston secured a divorce from Houston on the ground of abandonment, and afterward married a Dr. Douglass. She lived for many years in the town of Gallatin, Tennessee, and enjoyed the entire respect and esteem of the community. She was equally silent as to the cause of the separation of herself and her first husband.