

## Emily West de Zavala and Emily D. West: Two Women or One?

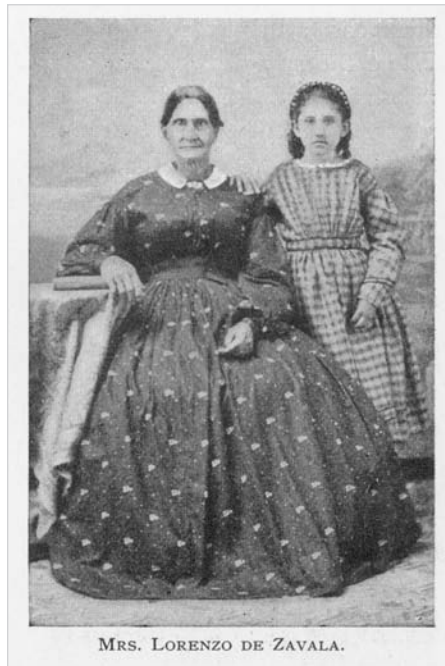
By JEFF DUNN<sup>1</sup>

In an essay published in the Spring 2005 edition of *The Compass Rose*, I narrated the story of Emily D. West, a woman of mixed white and black ancestry who came to Texas from New York in 1835 and sought a passport to return in 1837.<sup>2</sup> Her life in Texas would be little noticed today but for one diary reference suggesting she played a pivotal role in the battle of San Jacinto on April 21, 1836. Quoting directly from a letter attributed to Sam Houston, Englishman William Bollaert in 1842 wrote:

*The battle of San Jacinto was probably lost to the Mexicans, owing to the influence of a Mulatta girl (Emily) belonging to Col. Morgan who was closeted in the tent with g'l Santana, at the time the cry was made "the Enemy! They come! They come! & detained Santana so long, that order could not be restored readily again."*<sup>3</sup>

My article focused on the significance of the 1835 household employment contract between Emily D. West and James Morgan, acquired in 2004 by Special Collections at the University of Texas at Arlington, and briefly told the story of how Emily became popularly associated with the song "Yellow Rose of Texas" commencing in the 1960s.

In late 2005, Denise McVea introduced a provocative twist to the Emily D. West saga by publishing *Making Myth of Emily: Emily West de Zavala and the Yellow Rose of Texas*.<sup>4</sup> McVea focuses on the life of Emily West de Zavala, who was married to Lorenzo de Zavala in 1831. Lorenzo was a Mexican liberal reformer, statesman, diplomat, and scholar who came to Texas in 1835, supported the Texas Revolution, signed the Texas Declaration of Independen-



Emily West de Zavala (left) is pictured in Dudley G. Wooten's *Comprehensive History of Texas*, Volume 1.

dence in March 1836, and became the first vice president of the Republic of Texas. McVea's thesis is that Mrs. Zavala and Emily D. West were one and the same and that Mrs. Zavala could have been the "Emily" in Santa Anna's tent as mentioned by Bollaert.<sup>5</sup> One consequence of this thesis, strongly advocated by McVea, is that Mrs. Zavala was of African ancestry and that "racial sensibilities" of historians "created a woman who did not exist and changed the race of one who did."<sup>6</sup>

There are several remarkable coincidences between Emily West de Zavala and Emily D. West, in addition to the similarity of their names, that justify an examination of the "one Emily" thesis. Both women left New York for Texas in late 1835 and arrived in December 1835 on James Morgan's

schooner, the *Flash*. Lorenzo de Zavala was an investor in the New Washington Association, while West's employer, Morgan, was the Association's Texas agent. Both women lived within ten miles of each other near what became the San Jacinto battleground, and both were in Santa Anna's path in April 1836. The late historian Margaret Henson concluded that both possibly returned to New York together in 1837.<sup>7</sup> Records on Mrs. Zavala exist before 1835 and after 1837, but the elusive "Emily D. West" is mentioned only in two documents (her 1835 employment contract with Morgan and her 1837 passport application seeking to leave Texas) and referenced as "Emily" in only one document (Bollaert's 1842 diary).

### Problems with the "One Emily" Thesis

McVea deserves credit for raising the issue of whether Mrs. Zavala might have been Emily D. West, but the "one Emily" thesis, though intriguing, ultimately breaks down when the evidence is examined closely. The 1835 employment contract between Emily D. West and Morgan shows that West, of New Haven, Connecticut, was hired in New York to work for Morgan over a one-year period in Texas for \$100. In contrast, Mrs. Zavala, of New York, came to Texas with her three children to live with her husband, not to work for Morgan or anyone else. Morgan obligated himself in his contract with West to take her to Texas in his vessel free of expense. In contrast, Lorenzo de Zavala paid Morgan for Mrs. Zavala's fare.<sup>8</sup> Bollaert's diary and the passport application place Emily D. West at the battle of San Jacinto, but several accounts, including the journal of Lewis Birdsall Harris, provide evidence that Mrs.

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Zavala found refuge on Galveston Island prior to and during the battle.<sup>9</sup>

An exhaustive review of McVea's book is beyond the scope of this article, but McVea approaches her thesis by challenging the validity of the evidence that contradicts her conclusion (e.g., the West employment contract and accounts placing Mrs. Zavala at Galveston during the battle) while suggesting that evidence corroborating her conclusion may have been "altered, destroyed or falsified" by Mrs. Zavala's granddaughter, Adina De Zavala, possibly to hide Mrs. Zavala's African ancestry.<sup>10</sup> My own independent research on this subject reveals that a debate over an interpretation of existing documents and speculation over missing documents is moot because new evidence reveals that the "one Emily" thesis is a physical impossibility. The new evidence shows that Mrs. Zavala and Emily D. West did not return to New York together in 1837 as Henson asserted. Rather, Mrs. Zavala left Texas before Emily D. West submitted her passport application to leave Texas.

### **The Emily D. West Passport Application**

The decisive document that is alleged to link Mrs. Zavala with Emily D. West, according to McVea, is the Emily D. West passport application.<sup>11</sup> This application was written by Isaac N. Moreland in the form of a letter:

Capitol, Thursday Morning

To the Hon. Dr. Irion

The bearer of this - Emily D. West has been since my first acquaintance with her, in April of -36 a free woman - she Emigrated to this Country with Col. Jas Morgan from the state of N. York in September of 35 and is now anxious to return and wishes a passport - I believe myself, that she is entitled to one and has requested me to give her this note to you.

Your Obed't Serv't  
I.N. Moreland

Her free papers were Lost at San Jacinto as I am Informed and believe in April of -36

Moreland<sup>12</sup>

McVea argues that the bearer of this application was Mrs. Zavala. She claims that, after Lorenzo's death in November 1836, Mrs. Zavala decided to apply for a passport to return to New York "in her maiden name."<sup>13</sup> McVea gives us no independent evidence to support this conclusion but supplies a motive that is dependent on Mrs. Zavala being a noticeably black woman. She states that Mrs. Zavala needed to pass through New Orleans on her return to New York and that this presented a problem because racially mixed marriages in Louisiana were illegal in the 1830s. McVea contends that Mrs. Zavala wanted to avoid advertising that she had broken Louisiana law by having been married to a white man. Consequently, McVea argues that Mrs. Zavala applied for the passport in her maiden name to avoid calling attention to herself as the widow of Lorenzo de Zavala, as he was no longer around to protect her.<sup>14</sup> In McVea's words: "the passport application does not show that a servant named Emily West coexisted with Emily West de Zavala. Instead, it shows that Emily West de Zavala, who had reason to revert to her maiden name, did so."<sup>15</sup>

To determine the validity of this argument, we must first examine when the application was submitted to the Department of State, the government office responsible for issuing Republic of Texas passports. Emily D. West's application is undated, but the reverse side indicates it was recorded in "July 1837."<sup>16</sup> A separate Department of State letter book corroborates the July 1837 filing.<sup>17</sup>

Another clue from the document gives us evidence of the earliest possible submission date. This clue is the name of the addressee: "the Hon. Dr. Irion," whose full name was Robert Anderson Irion. Irion practiced medicine and was a senator in the First Congress representing Nacogdoches. After the First Session of Congress adjourned at Columbia in December 1836, Irion returned to Nacogdoches. He came back to south Texas in April, arriving in the new town of Houston after April 28, but in time for the opening of the Second Session of Congress on May 1, 1837. This session convened in an unfinished building called the "Capitol," which is referenced in West's passport

application as the place where the document was written.<sup>18</sup>

Irion served as a senator until June 13 when Congress adjourned.<sup>19</sup> Later the same day, President Houston appointed Irion acting Secretary of State, the duties of which included the approval of passports as the presiding officer of the Department of State.<sup>20</sup> Irion did not have the authority to receive, approve, or reject passport applications prior to his appointment. Thus, the combination of Irion as the addressee and the recording date on the reverse side establishes a precise range of possible submission dates: June 13 through July 31, 1837.<sup>21</sup>

Isaac Moreland, who wrote the passport application from the Capitol, was a private attorney living in Houston between June 13 and July 31, 1837. Moreland was an officer in the Texas Army during the battle of San Jacinto and continued to serve in the army on Galveston Island after the battle, but he did not sign the passport application in his military capacity. He left the army on April 27, 1837, and opened a private law office in Houston on May 29 with former president David G. Burnet as his partner.<sup>22</sup>

### **Mrs. Zavala's Departure from Texas**

McVea does not tell us precisely when Mrs. Zavala left Texas in 1837, but New Orleans passenger arrival records maintained by the United States government show that "Madam L De Zavalla [sic], Servt & three children" left Galveston Bay on the schooner *Flash* in early March 1837 and arrived in New Orleans on March 20.<sup>23</sup> The next day, March 21, the New Orleans correspondent for the *Morning Courier and New-York Enquirer*, one of the leading papers in the United States, wrote of the arrival of the *Flash*. His letter, published in the April 1<sup>st</sup> edition of this New York paper, states that among the passengers "is the unfortunate widow of the late Senor Zavala, with her three children."<sup>24</sup> The same correspondent, writing from New Orleans on April 10, gave readers details of her departure from New Orleans to New York: "The schooner el Dorado arrived this morning from Velasco bringing various passengers, among them Mr. Zavala, the

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son of the late Don Lorenzo Zavala, *whose widow embarked the day before [April 9], with her three children, in the Nashville, for New York.*<sup>25</sup>

This evidence not only shows precisely when Mrs. Zavala left Texas for New Orleans and the timing of her departure from New Orleans to New York but also refutes the notion that she was traveling clandestinely in her maiden name. Judging from the number of days separating the correspondent's letters from the respective dates of their publication in the *Courier* (eleven days), it can be deduced that Mrs. Zavala and her children arrived in New York City toward the latter part of April 1837. Mrs. Zavala's stepson, Lorenzo de Zavala, Jr., followed her to New York and verifies her presence in the city in a letter he wrote to Mirabeau Lamar on July 3, 1837.<sup>26</sup>

The significance of this evidence is that it shows Mrs. Zavala leaving Texas *three months prior* to Irion's appointment on June 13, 1837, and arriving in New York nearly *two months prior* to that date. In other words, it is a physical impossibility for Mrs. Zavala to have been the same woman as Emily D. West because this evidence indicates Mrs. Zavala was already in New York when Emily D. West submitted her passport application to Dr. Irion. Mrs. Zavala could not have been in New York and Texas at the same time.

Further evidence for this conclusion comes from a passport issued to Mrs. Zavala by the Republic of Texas in her *married name* before she departed Texas. A reference to this document, which is not mentioned in McVea's book, can be found in the same archival box in the Texas State Library where the Emily D. West passport application is preserved. In that box is a folder containing a multi-page document listing the names of 289 people who received passports from the Department of State in November and December of 1836, when the seat of government was still in Columbia. According to this list, "*Mrs. Emily Zavala*" was issued passport number 136 on December 10, 1836.<sup>27</sup>

There was no reason for Mrs. Zavala to seek a passport from Dr. Irion because one had already been issued to her over six months before his appointment. Moreover, there is no evidence that Mrs. Zavala ever

visited the town of Houston before leaving Texas in early March. Indeed, construction of the Capitol, where Emily D. West's passport application was drafted, did not commence until April 16, 1837, over a month after Mrs. Zavala left Texas.<sup>28</sup>

### Mrs. Zavala's Race

Is it possible that Mrs. Zavala was of African descent? McVea asserts that "[n]o surviving documents specifically refer to the racial identity of Emily West de Zavala," and "there is no irrefutable documented evidence that Emily West de Zavala was white."<sup>29</sup> McVea states, as "pure conjecture," that Mrs. Zavala may have come from a New Orleans "quadroon background."<sup>30</sup> While a person's race is not always easily ascertained, McVea neglects to cite or discuss one of the most reliable sources for determining a person's race: the decennial United States Census.

To follow Mrs. Zavala in the census records, it is important to understand her changing marital status after Lorenzo's death in 1836. Upon reaching New York in 1837, Mrs. Zavala married Henry Folk (also called Fock) later that year. Both came to Texas in 1839 to the old Zavala homestead. Henry Folk died in September 1849. Emily Zavala Folk remarried in 1851 to a man named E. D. Hand, who passed away by 1860.<sup>31</sup> She then remained a widow until her death in Houston in 1882 at age 70.<sup>32</sup> Therefore, she appears in the 1850 census under the surname "Folk" and in the 1860, 1870, and 1880 census under the surname "Hand." Each of these returns describes her as a "white" female whose birth state was New York.<sup>33</sup> In addition, a photo of "Mrs. Lorenzo de Zavala," published in 1898 in an authoritative history of Texas, when her surviving children and friends were still alive, clearly depicts her as a woman with Anglo-American features.<sup>34</sup> Certainly, this evidence should be given some consideration in ascertaining Mrs. Zavala's racial identity.

The only credible conclusion that can be drawn, based on this evidence, is that Emily D. West and Emily West de Zavala were not one and the same. Nonetheless, we cannot read too much into this analytical exercise. Although the "one Emily" thesis can be discarded, we still do not have answers to several perplexing

questions: Who was Emily D. West? Was she really in Santa Anna's tent at the battle of San Jacinto? What happened to her after she filed her passport application? As of today, the historical record of the woman we now call the "Yellow Rose of Texas" remains mysteriously silent. 🌹

### Footnotes

- <sup>1</sup> Jeff Dunn is Chairman of the San Jacinto Historical Advisory Board and an attorney with Munsch Hardt Kopf & Harr, PC in Dallas.
- <sup>2</sup> See Jeff Dunn, "One More Piece of the Puzzle: Emily West in Special Collections," *The Compass Rose*, Spring 2005, p. 1.
- <sup>3</sup> William Bollaert's *Texas Diary*, Ayer Manuscripts, Newberry Library, Chicago, Ayer MS 86, p. 34 (quotations in the original). A modified version is published in Eugene Hollon and Ruth Lapham Butler, *William Bollaert's Texas* (1956), p. 108, n. 24. The connection between Bollaert's diary entry and Sam Houston is made by James Lutzweiler, "Santa Anna and Emily D. West at San Jacinto: Who Edits the Editors?" (Master's Thesis, North Carolina State University, 1997).
- <sup>4</sup> Denise McVea, *Making Myth of Emily: Emily West de Zavala and the Yellow Rose of Texas* (Author's Special Limited Edition, 2005). Background information on McVea can be found at [www.aurisproject.org/pages/aboutauthor.htm](http://www.aurisproject.org/pages/aboutauthor.htm)
- <sup>5</sup> *Making Myth of Emily*, pp. 1-10. Mrs. Zavala was not born with the first name "Emily." According to Lorenzo's journal, he changed her name from Miranda to Emily at the time of their marriage. See Margaret Swett Henson, *Lorenzo de Zavala: The Pragmatic Idealist* (1996), p. 53. Lorenzo and Emily's marriage certificate, dated June 27, 1832, spells her name "Emilia." Lorenzo de Zavala Papers, CAH, UT-Austin. Henson states that before their marriage, Emily was a widow previously married to a man named Cresswell. A local Albany, New York, historian stated in 1856 that her maiden name was "Miss Amanda West." J. Munsell, "Crosby's Hotel," *The Annals of Albany*, Vol. VII (1856). No evidence can be found to indicate that Mrs. Zavala used the middle initial "D" in her name.
- <sup>6</sup> *Making Myth of Emily*, pp. 9-10.
- <sup>7</sup> "ZAVALA, LORENZO DE," *Handbook of Texas Online*; "ZAVALA, EMILY WEST DE," *Handbook of Texas Online*; and "WEST, EMILY D," *Handbook of Texas Online*.



- <sup>8</sup> West-Morgan Contract, October 28, 1835, William A. Philpott, Jr. Collection, UT Arlington Special Collections; James Morgan Papers, Rosenberg Library, Galveston (#31-0134); and note 33, *infra*.
- <sup>9</sup> Lewis Birdsall Harris, "Journal of Lewis Birdsall Harris, 1836-1842," *The Southwestern Historical Quarterly* (October 1921), p. 136. Other sources placing her on Galveston Island include notes taken by Mirabeau Lamar during an interview with Mrs. Zavala and an article by Ben C. Stuart in the *Galveston Daily News*, October 8, 1899 (quoting from Captain Falvel of the *Flash*). Mrs. Zavala's obituary also mentions her presence on Galveston Island at the time of the battle. See "Death of an Old Texas Lady: The Death of the Widow of Lorenzo de Zavala, One of the Pioneers of Texas – An Interesting Sketch of Her Life," *Houston Post*, June 16, 1882.
- <sup>10</sup> *Making Myth of Emily*, p. 128. Among other things, McVea questions the validity of the Emily D. West employment contract with Morgan, claiming that "oddities" remain unanswered about its provenance. Her concerns about the collection in which the contract was found are addressed in a provenance available from UT Arlington's Special Collections. See Jeffrey D. Dunn, "Known Provenance and Description of the William A. Philpott, Jr. Collection of Texana Documents" (June 30, 2003). Evidence from this collection suggests that the West contract and other Morgan business records found in this collection were once held by the executor of Morgan's estate, Henry Gillette.
- <sup>11</sup> *Id.*, p. 87, and pp. 101-103.
- <sup>12</sup> I[saac] N. Moreland to Dr. R. A. Irion, Papers of the Secretary of State, RG 307, Passports issued by the Department of State, Republic of Texas, 1836-1845 (West, Emily D.), Texas State Library, Archives Division, Austin. The passport application mistakenly states that her emigration occurred in September rather than December 1835. There is no record indicating whether a passport was actually issued to Emily D. West.
- <sup>13</sup> *Making Myth of Emily*, p. 102. Lorenzo died November 15, 1836, from pneumonia, after his rowboat capsized on Buffalo Bayou near his home. "ZAVALA, LORENZO DE," *Handbook*, *supra* note 7.
- <sup>14</sup> *Making Myth of Emily*, pp. 102-104.
- <sup>15</sup> *Id.*, p. 104.
- <sup>16</sup> See West passport application, *supra* note 12 (reverse).
- <sup>17</sup> Department of State Letter Book: Letters Received, Nov. 28, 1836 - Mar. 24, 1841, pp. 47-48 (microfilm reel #23, Secretary of State, Executive Record Books, Texas State Library, Archives Division, Austin).
- <sup>18</sup> Works Projects Administration, *Houston: A History and Guide* (1942), pp. 42-47. See also Sam Houston to Robert A. Irion, January 23, 1837 and April 28, 1837, in Amelia W. Williams and Eugene Campbell Barker (eds.), *The Writings of Sam Houston, 1813-1863* (1938-1943), Vol. 2, p. 48 and Vol. 4, p. 29; *Telegraph and Texas Register*, May 2, 1837, p. 3, c. 1.
- <sup>19</sup> *Biographical Directory of the Texan Conventions and Congresses* (1986), p. 23; *Telegraph and Texas Register*, June 13, 1837, p. 2, c. 3.
- <sup>20</sup> "IRION, ROBERT ANDERSON," *Handbook of Texas Online*; E. W. Winkler, ed., *Secret Journals of the Senate, Republic of Texas* (1911), p. 87; *Telegraph and Texas Register*, June 24, 1837, p. 2, c. 3. Irion was confirmed by the Senate on November 11, 1837, and served until December 1838. *Biographical Directory*, p. 9.
- <sup>21</sup> Technically speaking, the document's reference to "Thursday Morning" suggests the application was prepared no earlier than the first Thursday after Irion's appointment, or June 15, 1837.
- <sup>22</sup> "MORELAND, ISAAC N," *Handbook of Texas Online*; *Muster Rolls of the Texas Revolution* (1986), p. 50; Audited Claims, Republic of Texas, Texas State Library, Microfilm Reel 129, Page 388, and Microfilm Reel 129, Page 390; *Telegraph and Texas Register*, June 3, 1837, p. 3, c. 3 (Moreland-Burnet law office advertisement).
- <sup>23</sup> U.S. Bureau of Customs, Passenger Lists of Vessels Arriving at New Orleans, 1820-1902, March 2–December 30, 1837 (Cargo Manifest 97A, Schooner Flash, Capt. Falvel, from Galveston Bay, March 20, 1837), National Archives, Washington, D.C., Microcopy M259, Roll 15. Mrs. Zavala was carrying "five trunks, clothes, basket & bag." *Id.* The "servant" referenced in the passenger record is probably the Irish girl who previously accompanied Mrs. Zavala to Paris, France (in either 1831 or 1833) as chambermaid and nurse, and who was with the family on Buffalo Bayou according to William Fairfax Gray, who visited the Zavala homestead on March 23, 1836. See *Diary of Col. Wm. F. Gray: From Virginia to Texas, 1835-36* (1965), p. 145.
- <sup>24</sup> *Morning Courier and New-York Enquirer*, April 1, 1837, p. 2, c. 2 (emphasis added).
- <sup>25</sup> *Id.*, April 20, 1837, p. 2, c. 3 (emphasis added).
- <sup>26</sup> Lorenzo de Zavala, Jr. to M.B. Lamar, July 3, 1837, in Charles Adams Gulick, Jr., ed., *The Papers of Mirabeau Buonaparte Lamar*, Vol. 1, p. 558. Lorenzo, Jr., wrote in part: "I duly received your esteemed favor of 15 ulto. and delivered to Madam Zavala the one you directed to her forthwith...." *Id.*
- <sup>27</sup> Papers of the Secretary of State, RG 307, Passports issued by the Department of State, Republic of Texas, 1836-1845 (Passports issued to "John D. Sutherland & others"), Texas State Library, Archives Division, Austin. Coincidentally, Lorenzo de Zavala, Jr., received passport number 135 the same day. *Id.*
- <sup>28</sup> Francis R. Lubbock, *Six Decades in Texas* (1900), p. 49.
- <sup>29</sup> *Making Myth of Emily*, pp. 1-2 and 31.
- <sup>30</sup> *Id.*, p. 48.
- <sup>31</sup> "ZAVALA, EMILY WEST DE," *Handbook of Texas Online*.
- <sup>32</sup> *Houston Post*, June 16, 1882.
- <sup>33</sup> 1850 US Census, Texas, Harris County, Series M432, Roll 911, Page 27 ("Emily Folk"); 1860 US Census, Texas, Harris County, Town of San Jacinto, Series M653, Roll 1296, Page 358 ("E. Hand"); 1870 US Census, Texas, Galveston County, 3<sup>rd</sup> Ward, City of Galveston, Series M593, Roll 1586, Page 262 ("Emily Hand"); 1880 US Census, Texas, Harris County, 5<sup>th</sup> Ward, City of Houston, National Archives Film No. T-9-1308, Page 43D ("Emily Hand"). According to Munsell, Mrs. Zavala was born in Westerlo, near Albany, New York, and she met Lorenzo on his visit to Albany while she was working at Crosby's Hotel. He also states that before they met, Miss West's mother "married a second husband, a German named Laupaugh, in Westerlo." See Munsell, *supra* note 5. See also Wallace Woolsey (tr.), *Journey to the United States of North America by Lorenzo de Zavala* (1980), p. 171. Recalling his visit to Albany in 1830, Lorenzo writes: "My wife's birthplace is in the vicinity of this town." *Id.*
- <sup>34</sup> Dudley G. Wooten (ed.), *A Comprehensive History of Texas* (1898), Vol. I, p. 659.