

DUNLAP TO BEE.^aDUNLAP TO WEBB.^bWASHINGTON [CITY,] *May 19th 1839*

The Honl. JAMES WEBB,
Secretary of State,

SIR, Since my last to you, some things have occurred of which I deem it my duty to advise you. I enclose you a copy of a letter which I wrote Col Bee in *cypher* advising him that this Government had instructed Mr Ellis to offer the mediation of the United States etc.

I have made some suggestions to Col Bee of which I also advised you, and relative to which I shall be happy to have the views of the President. You will see that I have said to Col Bee to not leave Mexico, until time sufficient shall elapse to effect the loan. The mere fact that a mission has been sent to Mexico, has had the happiest effect in favor of the cause and prospects of our Republic. His sudden return without doing any thing, would loose us all the benefit of that opinion, which rests in confidence on the mere fact that a mission has been sent to our enemies with overtures of peace

A day or two after the interposition of this Government as previously stated, I met with Major Lewis an old friend, connected with this Govt., who informed me that he had received a letter from Vera Cruz entitled to great weight, stating that Bustamenta was rallying all the power of the Central party to attack Tampico, an American Town in feeling and partly in character, and the strong hold of the Federal party. The writer considers the result not certain, but somewhat favorable to the central party. But in the event of success, he says that Bustamenta will appeal to the pride of the Nation, urging the immediate invasion and reconquest of Texas. This is his master stroke, to quell home dissentions and fasten permanently centralism on the people of Mexico. The writer further states that, Genl Santa Anna will not oppose this movement, for two reasons. The fear of his popularity at home, and a secret wish to place Bustamenta in a condition, from which he cannot extricate himself without total ruin and disgrace.

General Hamilton arrived here the evening on which I received this information, I advised him of it and insisted on his immediate departure for Europe to negotiate our Loan. He left this city remaining here only one day to hurry the completion of the Bonds, he will loose no time. I gave him all that had occurred between myself

^a May 17, 1839. See Dunlap to Webb, May 19, 1839.

^b For the letter and enclosure, see Records of the Department of State (Texas), Book 41, pp. 204-206.

and this Government, which was truly gratifying to him, and in his opinion, gave him the basis of certain success. He then called on Mr Fox, and let him have a few hints on this subject. The result is truly propitious and every way promises what our Govt. most desires. Mr Fox promised General Hamilton to write forthwith to Mr Paekenhams the British Minister at Mexico, advising him of these matters and soliciting his co-operation with Mr Ellis and Col Bee, in a manner most available. He also promised to send a copy of the letter to Lord Palmerston, and with it to give Genl Hamilton a private letter

I shall go to Philadelphia by 1st June if not sooner, to countersign the bonds. General Hamilton said to me that he was very confident that he would close an arrangement the last of this week, for half a Million of dollars to meet the present wants of the Republic

Mr Dangerfield wrote me the other day relative to his instructions, from the Secretary of war, if you will have them forwarded to me, I will send them to him, and go and assist in the purchasing of such arms etc which it may be deemed advisable to obtain. I doubt not, that the President with all the fair prospects of a speedy peace, will feel that duty requires, vigorous and energetic measures, to meet an alternative which may happen, aided by the capricious fortune of revolution

I am just concluding a mail arrangement with the Post Master General here, to allow letters to pass the boundary line without the postage being paid, the Post Master General of Texas will have to accept and ratify the agreement until the meeting of our next Congress. I shall be able to enclose you this arrangement in a few days.

I have still delayed presenting to the State Department the explanation of my Government relative to General Rusk's entrance with an armed force in the territory of the United States for the reasons which I have previously assigned you. But I shall do so before I leave for Philadelphia

I remain with the highest consideration and respect

Your obedient and Humble Servant

R. G. DUNLAP.

WASHINGTON [CITY,] *May 17th 1839*

MY DEAR SIR,

Mr Martinez the Mexican Minister has written to his Government formally, in relation to the adjustment of our difficulties with Mexico. Mr Ellis will be instructed to say to the President of Mexico that should he desire it, this Government will take pleasure in interposing on behalf of Mexico. Every thing proceeds well here. You must not hint this to any one.

General Hamilton is here and very sanguine of success I go in a few days to Philadelphia to countersign the Bonds. Let me hear from you often.

The idea seems to be to sell, with the Mexican Minister. I have no instructions but have written for them on this subject. If I get them they will be good for you. I have suggested the propriety to the President to authorize the purchase to the Pacific including California. Do not leave until something shall be done, your return would ruin every thing. If you should be rejected stay as long as you can, until we get the Loan, and have time to make a favorable impression on the courts of Europe

I will write you often, and every thing touching our duties

I am yours, Truly

R. G. DUNLAP

To Col BARNARD E BEE.

DUNLAP TO KENDALL.^a

BURLESON TO JOINSTON.^b

DUNLAP TO HENDERSON.^c

KENDALL TO DUNLAP.^d

DUNLAP TO KENDALL.^e

KENDALL TO DUNLAP.^f

^a May 20, 1839. See Dunlap to Webb, May 29, 1839.
^b May 22, 1839. See Burnet to Dunlap, May 30, 1839.
^c May 24, 1839. See Dunlap to Webb, May 29, 1839.
^d May 25, 1839. See Dunlap to Webb, May 29, 1839.
^e May 27, 1839. See Dunlap to Webb, May 29, 1839.
^f May 29, 1839. See Dunlap to Webb, May 29, 1839.

DUNLAP TO WEBB.^aWASHINGTON [CITY,] *May 29th 1839*

HONL JAMES WEBB

Secretary of State

SIR

I have the honor to enclose you a copy of a correspondence between the Post Master General of the United States and myself, relative to a Post arrangement between this Government and the Republic of Texas. I send you the Post Master General's original letter, (retaining a copy) as it is the only plan by which any mail arrangement can at this time be made. You see from the enclosed arrangement with the Post Master General of the Canada's that a similar one is proposed to our government. This will require the acceptance of the Post Master General of Texas,—you will see that the exchange of mails can be made, so soon as the Post Master at New Orleans shall be notified of the acceptance of the Post Master Genl. of Texas. Should there be any other point, on or near the Sabine or the dividing line, the same arrangement can be made through me or by a direct communication of our Post Master General to the Post Master General here. The utility of the arrangement is self evident.

The best and kindest feelings exists with the Govt. of the United States for Texas. I go to Philadelphia tomorrow, to countersign the bonds of the Republic. General Hamilton cannot leave earlier than the 13th June for England. I will use all my endeavors, to obtain some money before he leaves, for the Republic. I see by the morning papers, that Bustamente's party has vanquished the Federalists, doubtful consequences. I send you a copy of my letter to Mr. Henderson at Paris, which I felt it my duty to write, as the information might be made useful and available. The time that would elapse before he could hear from you, is the reason which induced me to write him, without instructions from my Govt.

I have the honor to be, with the highest consideration and respect,
Your Obedt Servt

R. G. DUNLAP.

WASHINGTON [CITY,] *May 20th 1839.*

The Honorable

AMOS KENDALL, *Post Master Genl.*

SIR, The general inconvenience resulting to the citizens of the United States and of the Republic of Texas from the present mail

^a This letter and its inclosures are on file, but are so badly damaged by water as to be in part illegible. For this reason the copies in the Records of the Department of State have been followed. See Book 41, pp. 209-214. The inclosures are given in the same order as in the book referred to, except that Dunlap to Henderson, which there precedes Dunlap to Webb, is here given at the end of the series.

arrangement, induced me this morning to call on the Secretary of State, with a view to form some plan for the mutual advantage of the citizens of the two countries. The Secretary advised me to call on the Post Master General who had power he informed me to make a suitable arrangement between this and foreign Governments. If therefore you deem it not inconsistent with your power I propose that some mutual and reciprocal mode be adopted to facilitate a mail communication between the two Governments. Letters from the United States to the citizens of the Republic of Texas are sent without the postage being paid; and are consequently not transmitted. Would it not therefore be better for the revenue of the Post office Department, to allow the letters to pass, postage free from one nation to the other. In that event there would be no dead letters but an actual revenue coming from the letters of each Government. Should this mode not be acceptable; I propose that the Post Master at New Orleans and the Post Master at Galveston City be allowed, under some fixed regulations based upon the reciprocal advantages to result to the two countries, to exchange mails, and that some arrangement be made between the Post Master at Gaines' Ferry on the Sabine river and the nearest one in the United States. And that as soon as the line shall be run separating the Republic of Texas and the United States, that this arrangement be extended to the several Post Masters of the two Governments, on or near the said boundary line.

Requesting your earliest attention to this matter, I embrace this opportunity to tender you my highest respect and consideration

R. G. DUNLAP.

To which communication Mr Kendall made the following reply.

POST OFFICE DEPARTMENT,
May 25th 1839.

R. G. DUNLAP,
Minister Plenepotentiary from the Republic of Texas,

SIR, Your communication of the 20th Inst relative to the Post intercourse between the Republic of Texas and the United States was duly received.

This Department has no legal power to make an arrangement by which letters mailed in each republic shall be carried free to the boundary of the other, as suggested by you. The expediency of calling the attention of Congress to the subject, will be considered.

Herewith you will receive a copy of a letter to the Deputy Post Master General of the British Provinces in North America,—giving the outline of a plan now in operation between the United States and those provinces. I shall be happy to make a similar arrangement

with the Post Master General of your Republic to be executed in the following manner, viz,—

Let New Orleans and Galveston, and our nearest Post Office to Gaines' Ferry on the Sabine, and the nearest Texian office on the other side, be at present the Post Offices between which mails shall be exchanged. The Texian Post Master at the point selected in that Republic, will furnish the United States post masters at the points selected in the United States, with a Texian Mail key, and will be furnished with a United States mail key in return, and the mail bags passing between the selected offices will be secured with two locks, one of the United States and the other of Texas.

The Post Masters at New Orleans and Galveston will correspond and jointly make an agreement with the owners or agents of the Steam Packets running between the two places, for the transportation of the mail, to be sanctioned by the respective Departments, one half the compensation to be paid by this Department and one half by the Post Office Department of Texas. The carriers of the two Deptmts. shall meet at the Sabine and exchange mails

With every mail passing from the United States into Texas will be sent a way bill showing the exact amount of unpaid U. S. postage on all matter contained in said mail: and with every mail passing from Texas into the United States will also be sent a way bill showing the exact amount of paid U. S. postage on all matter contained in the mail.

In the account of the offices on both sides, these way bills will be carried into the account of the Quarter in which they *bear date*, though not received until a subsequent quarter, in order that there may be a perfect correspondence in the accounts. The Post Master General of Texas will be charged with the unpaid U. S. postage on mail matter going into Texas, and the paid U. S. postage on mail matter coming out, as shown by these accounts. He will render his account Quarterly to this Department in which he will charge himself with all unpaid U. S. postage on mail matter on hand in the Post offices of Texas at the beginning of the Quarter, with all unpaid U. S. postage on mail matter sent from the U. States into Texas within the Quarter, and with all paid mail matter sent from Texas into the United States during the same time.

He will then credit himself; 1st with the unpaid postage on mail matter from the United States remaining on hand in all the Post Offices of Texas at the end of the Quarter, 2. with the postage on Dead Letters from the United States which have to be returned to this Departmt. with the account, together with the postage on dead newspapers and pamphlets which need not be returned, and 3d. with a commission of 30 pr cent on the first hundred dollars of United States letter postage actually collected at each post office in Texas

within the Quarter, 25 per cent on the next three hundred dollars, 20 per cent on the next two thousand dollars, 8 per cent on any amount exceeding two thousand four hundred dollars, and 50 per cent on all the U S. newspaper and pamphlet postage actually collected, being the rates of commission allowed by law to Post Masters in the United States.

The balance due the Post Master General of Texas will, with all convenient despatch, deposite or cause to be deposited in the legal coin of the United States or its equivalent, with the Post Master at New Orleans, upon whose certificates of deposite he will receive credit for the amount deposited.

It would give me pleasure to adopt a reciprocal arrangement by which this Department should undertake to collect Texas postage, were it practicable and expedient.

The post offices in the United States now approach thirteen thousand in number. Texas letters would be received at several thousand of these Offices, each of which would have to keep and render separate accounts for those letters. This would increase the labors of the Post offices, and of the Auditors office beyond the competency of the clerks now allowed by law. Texas dead letters would also have to be returned with those accounts, and would have to be seperated from the other Dead letters in the Department, in which process it would not be possible to avoid frequent errors, unless we had a considerable increase of clerical force. It would render the business of this Department greatly more complicated, exposing it to mistakes and losses, when on account of its vast extent, true policy requires that its operations be simplified as much as possible. If our Post offices were but a few hundreds instead of many thousands, it would be practicable and safe to collect, and account for Texas or Canada postages, and no objection is made to it on the score of principle.

The proposed plan will give the Texas Post Offices the benefit of the commissions both on the United States and Texas postages accruing from the correspondence between the two Republics, only one of which would be enjoyed under a reciprocal arrangement.

I avail myself of this opportunity to assure the minister of Texas of my high consideration and respect.

AMOS KENDALL.

WASHINGTON [CITY,] 27 May 1839.

TO AMOS KENDALL, *Post Master Genl.*

SIR,

I have the honor to acknowledge the receipt of your reply, with its enclosures, to my proposition to establish a post communication between the United States and the Republic of Texas.

The plan which you propose with the reasons you have assigned I have no doubt will be acceptable. I shall lose no time in forwarding it to my Government for its approval and acceptance.

I shall however be happy to learn before I write to my Govt whether you desire the delay of the execution of the proposed arrangement until your Department shall be notified of its acceptance by the Post Master General of the Republic of Texas. Or whether it would not be consistent with your views to have this arrangement put into immediate operation by instructions from your Department to the Post Master at New Orleans and near Ganes' Ferry on the Sabine, Upon the Post Master General of Texas notifying them of his acceptance of your proposition sending at the same time his acceptance to your Department.

I embrace this occasion to tender to the Post Master General my high consideration and respect.

I have the honor to be,

Your Obt. Servant

R G. DUNLAP.

POST OFFICE DEPARTMENT *May 29, 1839.*

R. G. DUNLAP, *Minister*

Plenipt. from the Republic of Texas

SIR, I have the honor to acknowledge the receipt of your letter dated 27th instant.

A copy of the proposed arrangement regulating the Post intercourse between the United States and Texas will be sent to the Post Master at New Orleans with instructions to carry it into effect as soon as he shall receive official notice from the Post Master General of Texas that it has been acceded to and that the necessary instructions have been given to the Post Master at Galveston.

Like instructions will be sent to the nearest Post Office to Gaine's Ferry as soon as it can be ascertained whether it is held by a man who is competent to the new duties to be imposed, and if it should appear that he is not, Natchitoches or some other point for making up the Texas mails will be selected, of which you will be duly informed.

With high consideration,

Your Obt. Servt

AMOS KENDALL.

WASHINGTON [CITY,] *May 24th 1839.*

MY DEAR SIR,

The uncertain and tardy means of information from our Republic to Paris induces me to drop you a few lines relative to the action and views of the President touching our foreign relations.

On the breaking out of the revolution of the Federal Party in Mexico, the President deemed it advisable to send Col Bee to that Government and myself to the United States, with a hope to bring about a settlement of our difficulties through the mediation of the United States. (What I write you is in confidence, knowing you understand how to use it) This Government thought it better to offer mediation to Mexico, stating that she did not wish to do any thing but what should be for the interest and acceptable to Mexico. The Mexican Minister here thought this would be the best course, to avoid the old prejudices which would be easily excited in the minds of the jealous Mexicans against the United States interference. Mr Ellis has been instructed on this matter, and the Mexican Minister has written home advising an adjustment of our difficulties as I have been unofficially advised. Mr Fox the British Minister, as I have also had handed to me, has written to Mr. Packenham at Mexico advising him of all these things and suggesting the propriety of his co-operation with the American and Texian Ministers. He also promised to give to General Hamilton (who leaves for Liverpool with Mr Burnley to negotiate our loan, on the 13th of June) to send Lord Palmerston a copy of his letter to Mr Packenham, and give his views also touching the affairs and prospects of Texas.

I am induced to believe that the late Revolution in Canada will cause France to delay our recognition until England shall take the lead. I do not doubt, that the result of Mr Saligny's report of Texas will be favorable. I have written Col Bee all these things. Mr Ellis sailed for Mexico on the 20th Inst. Bustamenta is at the head of the army and Santa Anna President *ad interim*. The Federalists are with us and have been writing to the President with such assurances. Santa Anna stands pledged before the world to settle our matters peaceably, he now has a chance, with his enemies at home, with him on the question. Things present truly a bright and happy promise for our country. The Republic is populating rapidly with the best character of the south. To obtain peace in a manner most consistent with the interest and character of the country, the President adopted the course I have just hinted at, and declined participating in the domestic quarrel and feuds of Mexico, which you know could have been made greatly advantageous to Texas. But this course would at the same time, have so unsettled our national character in Europe and even here, that such a course with the apparent signs of peace might have proved very deleterious in the present crisis. It would have given us the character of mad adventurers for that fame which results from war and conquest, which would have lost us the good opinion of the civilized world. But if Mexico shall force the alternative upon us, then the just and enlightened of every nation will vindicate and sanction such a step. It will then be the work and sin of Mexico,

from which the Texians will as usual gradually work out their own redemption

The Mission to Mexico will have one happy influence if it shall fail in every other respect (which I do not anticipate). It will hold out in bold relief the signs of a speedy and final peace, which will add greatly to the value of our bonds. I shall be very happy to hear from you.

Yours etc.

P. S. The mornings paper from New Orleans announces the fact that the French Fleet is off Galveston, and conjectures that the Admiral has something political connected with his visit favorable to Texas.

Public opinion in the United States has changed most favorable for Texas, since the election and administration of President Lamar.

I am with high respect

Your obdt and humble Servt

R. G. DUNLAP.

Honl J. PINCKNEY HENDERSON,
Paris.

BURNET TO DUNLAP.

DEPARTMENT OF STATE,
Houston, 30. May 1839.

Hon. RICHARD G. DUNLAP.

SIR,

I am requested by the President to transmit to you the accompanying documents, marked as in the subjoined schedule, which were recently captured from a party of Mexicans as you will find detailed in the copy of the report of Col. Burleson to the Secretary of War, herewith transmitted and marked B2.

This government had long been in possession of testimony sufficient to justify them in adopting the most summary and imperative measures towards the Cherokees and other bands of northern indians resident in Texas. Their unauthorised migration and protracted stay in our Country has always been a source of disquietude and anxiety to the civilized population and their removal has been long desired. But the President, actuated by feelings of humanity towards a people who have been too much accustomed to profit by and abuse similar indulgences, has been unwilling to resort to force to procure their expulsion, while a hope could be entertained that their withdrawal might be effected by peaceable means. That hope has been founded on the applications heretofore made to the Government of the United

States relative to this interesting subject. Those applications appear to have been ineffectual thus far, while the humane forbearance on the part of this government towards these intruding Indians, has been productive of many disasters to our frontier settlements, and if longer continued might result in irreparable injury to Texas. The most enduring patience may be exhausted, and must yield to the duty of self preservation, when its exercise evidently gives encouragement and aggravation to the hostile spirit of the offenders. Such is our present condition relative to these immigrant savages; and the President has resolved to put an end to the repeated aggressions of the Cherokees by *compelling* their departure from our territory. You are at liberty to make known this fact to the government at Washington, and to request that such measures may be seasonably adopted by that government, as will fulfill the provisions of the 33d. article of the treaty entered into between the United States and Mexico on the 5th. April 1831, and will effectually prevent the return of those savages to our territory.

Our right to eject these Indians, can scarcely enter into your correspondence with the Government of the United States; but should it be incidentally alluded to, you will find it clearly suggested in the letter of Mr. Forsythe to Mr. Castillo Chargé de Affairs from Mexico which is transcribed in despatch No 42 from your predecessor to this department. You will not however solicit an elaborate discussion on this subject or any other connected with the respective obligations of the United States and of Texas, resulting from the treaty of 1831 between the United States and Mexico: for a protracted discussion is seldom desirable and may be productive of inconvenience, if not of ill-feeling between the parties, which we would very sedulously avoid. The President conceives that the Government of the United States has frankly and justly acknowledged the right of Texas to the benefits of that treaty, especially in reference to the 33d. article, which has a direct territorial relation to this republic as now organised; and he cannot imagine that any objection will be raised or difficulty occur on that ground. You will therefore confine your communications, unless constrained to take a wider range, to the fact of the intended expulsion of the Cherokees and of such other of the immigrant bands as may prove to have been or may hereafter be implicated in the late atrocious attempt on the part of the Mexican authorities to employ the indians of the United States in desolating our frontiers. These machinations have been known to us for some time, but are now so fully developed in relation to the Cherokees, that longer forbearance towards them, is utterly inconsistent with the first duties of this government.

If in the progress of your correspondence, it shall be assumed as has been suggested by the Chargé de Affairs here, that the government of the United States is not bound to receive or to restrain those Indians and the ill advised treaty partially made with them on the 23 february 1836 by Commissioners appointed by the late provisional government of Texas, be alleged in support of this position, You can present a conclusive refutation of that assumption in the fact that that pretended treaty has never been ratified by any competent authority on the part of Texas. On the contrary, when it was first submitted to the Senate of the Republic, which was the only power authorised to confirm it, it was rejected by a decisive vote of that body; and no subsequent action of the Government has been had upon it. Indeed should this matter be pressed upon you in such terms as to indicate a determination on the part of the government at Washington to avail itself of that treaty, as absolving it from all obligations touching those indians (which can hardly be possible,) you can further disclaim the validity of the treaty on the ground that the provisional government itself under whose authority the treaty purports to have been made, was acting without the sphere of any legitimate power and could not in a matter so extraneous to the avowed purposes of its creation as the alienation of a large and valuable portion of territory impose any moral or political obligations upon the independence and separate government of Texas. You will recollect that that provisional government passed its brief existence anterior to the declaration of Independence and was organised under the Mexican federal constitution, of 1824—that although its organization was in direct violation of that constitution, and may be considered as partially revolutionary, its assumptions of power were no more obligatory upon the independent government of Texas, than they would have been on the federal government of Mexico had that Government been restored and Texas returned to her previous attitude. By the very constitution of that government, Texas, as such, was incompetent to make treaties. She was but a *department* of the confederate State of Coahuila and Texas, and in her conjunct State capacity was also precluded from entering into treaties with foreign powers. I suggest this as an ultimate plan of argument to be pursued, but not to be resorted to except in case of strict necessity.

You are aware that the lines designated in the treaty were run or pretended to be run by Col. Alexr Horton, some time in the fall of last year at the instance of Genl. Houston, who was then exercising the executive functions of this government. This fact too may be adduced against you; but you will find no great difficulty in divesting it of any serious consideration, by suggesting that the act of Col. Horton was without authority, the President having no right to carry a treaty into effect anterior to or independent of the action of

the Senate on such treaty. In this instance the assumed right was exercised in direct contradiction to the advice of the Senate, and every act so done was an absolute nullity, and could impose no legal or moral obligation on this government.

Should the government of the United States decline to render you any satisfactory assurances concerning the future return to our territory of the Cherokees now about to be ejected from it, this government will be compelled to resort to its own energies; and a protracted war may ensue between Texas and the *northern* Indians within her borders. We should greatly deprecate such an event, for it cannot escape an ordinary discernment that it would be more than likely to enlist a portion of the original tribes from whom these intruding bands have emanated, and who have been recently removed to the west of the Mississippi by the Government of the United States. It is also more than probable that such a contest would involve the government of the United States in an Indian war of greater magnitude than any they have heretofore sustained. It is not intended to impute any error to that government, in the congregating of some many [*sic*] tribes of savages on their remote western frontier, for they did so in the exercise of an indutiable right. But while we fully acknowledge the abstract right, we cannot but perceive and deeply regret that its practical operation has been already eminently injurious to Texas and may possibly inflict still more serious evils upon her. The migration of the several bands of those very tribes, to our territory, was a direct and natural consequence of their removal from their ancient habitations and their location in our vicinity, by that government. We entertain too profound a confidence in the magnanimity of the Government of our father Land to believe for a moment that they will omit to give to this fact, all the consideration that an enlightened sense of propriety could suggest; or that they will fail to find in it, additional reasons for a punctual observance of the stipulations in the treaty of 5 April 1831, heretofore referred to. No government, professing to act on the beneficent principles of Christianity, will permit itself to prosecute a course of domestic policy, the evident tendency of which is destructive of the peace and happiness of a neighboring nation. It will either abandon the policy, or, should its continuance be of paramount importance to its own well-being, it will so modify and restrain its pernicious results that the neighbor people may suffer no serious detriment from it.

In previous instructions from this department, you will find the Coshattees and the Boluxies mentioned in connection with the Cherokees and other northern tribes. These bands have been too long resident in Texas (I believe they migrated from the Creeks during the American revolution) to be included in the list of intruders from the United States. You will not, therefore, press them upon the atten-

tion of that government in your future correspondence. The Cherokees, Kickapoos, Delawaris, Pattawatamies, Chocktaws, Shawnees, and Caddoes are the bands that have recently entered our territory, and of whom we complain. The Cherokees, Kickapoos and Caddoes are the most numerous and the most obnoxious of these, and it is their recall by the United States which we most ardently desire, and to which we are clearly entitled.

You will also request the attention of the Government to which you are accredited to the navigation of the river Sabine. This government would not now discuss the subject at length or insist on an equal right with the United States to the navigation of that border stream; but would prefer laying that matter over until a final treaty of commerce may be in negociation. But for the purpose of avoiding any difficulty between the citizens of the two governments it is very desirable that some definite understanding be had on certain points connected with the navigation of that river. Should Texas be precluded from searching vessels within the waters of the Sabine or the bay and pass or outlet of the same, many and serious inconveniences will result to her. Her revenue laws may be easily evaded and her revenue greatly prejud[ic]ed by smugglers. It is also to be apprehended that the law prohibiting the introduction of Slaves from any foreign country except the United States, will be exposed to frequent violation in that quarter. You will therefore propose to the Government at Washington the propriety of their issuing orders to their military and naval commandants to permit the Texian authorities to board and examine all vessels that may enter the Pass of the Sabine and to seize and convey them to a Texian port for adjudication, should they be found violating the laws of this country.

The President is quite indisposed but I trust will be about again in a few days.

Very respectfully

I have the honor to be
Your obt Servant,

DAVID G. BURNET.
Act'g Secy. of State.

Schedule of documents referred to in foregoing and accompanying same^a

- No. 1. Canaliso's instructions to Flores, Feby. 27th 1839.
- No. 2. Same to Cordova, March 1st. 1839.
- No. 3. Same to Same, Feby. 27th. 1838. (*should be 1839.*)

^a For the documents listed, see Calendar, except for No. 8, which was not printed with the rest. None of them are on file in the Texan archives.

- No. 4. Same to Flores, March 23d. 1839.
 No. 5. Same, Commision to Juan de la Garza, April 19th. 1839.
 No. 6. Same, Circular to Indian Chiefs, the originals of which in Spanish are marked thus—A, B, C, D, E, F, G, H, February 27th 1839.
 No. 7. Same, passport to Flores and Don Juan Bautista Soto, March 9th 1839.
 No. 8. Filisola's passport to Manuel Flores, February 2, 1839.
 No. 9. Cordova to Flores, July 19th 1838.
 A 2. Divers letters relating to the visit of the Cherokees to Matamoros.^a
 B 2. Report of Col. Burleson, May 22, 1839.^b

DUNLAP TO LAMAR.^c

PHILADELPHIA,

June 2nd 1839.

MY DEAR SIR,

I drop you a few lines—that you may find some causes, or consolation, for the hope and prospect of your administration abroad.

The Globe of the 1st. inst has given you and the country a fair face, for the sceptical world. Read it. I repeat, that every thing at Washington, is as you would desire it, for Texas. She is the absorbing theme of the day. I told Genl. Hamilton and Mr. Bu[r]nley that you said to me that they must not cross the ocean without getting you some money. I was afraid of contingencies in Mexico. To be caught without money would be very embarrassing. But on my arrival here I was happy to learn that an arrangement had been made to allow you to draw for \$200,000, of which you have been advised. I told them that you would be certain to draw. Mr. Burnley replied that he did not think they could have made the arrangement, if it had been believed you would want the money. The plan is fixed and you can get the money, but they wish it kept a secret for fear of effecting the acceptors credit. The loan will be certainly made. Mr. Biddle as I believe is in the matter soul and body. He brags of Texas largely.

Dr. Breckenridge lectures, on the condition and prospects of 'Texas on Thursday evening, in this city. The city is in a stir about it.

^aThese include the following (see Calendar): Huston to the Secretary of War (Johnston), December 13, 1836 (extract); Huston to the Secretary of War (Johnston), December 31, 1836 (extract); Coffee to Huston, December 17, 1838; Raines to Huston, December 18, 1838; Butler to Huston, December 21, 1838; Douglas to Wharton, December 23, 1838; Huston to the Secretary of War (Johnston), December 24, 1838.

^bTo Secretary of War Albert Sidney Johnston.

^cA. L. S.

He speaks of you every where, in the kindest and most flattering terms.

We have just heard that Mexia has been shot. But one feeling of indignation, at such cruelty has been manifested. Bustimete^a may try to invade you. Your prudence in not invading Mexico, during her troubles, has strengthened public confidence, here in your administration. But if the Mexicans, shall again put their bloody and polluted feet on our consecrated soil, Delenda est Carthago, is the motto that will bring to your standard, thousands of gallant spirits, from the United States, with the good wishes of the whole country for your success. Such an event, will be but the birth days, of new spirits of chivalry, who will enter into the cause of a nation[s] liberty with as much devotion, as the soldiers of the cross, ever, moved in the Crusades against the delusive power of the cressant.

Had you not better send Genl. Henderson power to draw on our Comrs. in London for some money. I expect he is out. Mr. Seligny pass[ed] through to day to New Yorke. He is delighted with Texas. Mr. Payne the Charge of France said to me the day before I left Washington, that he would urge upon his Govnt. the immediate recognition of our Independance. But he further stated that while in Paris last summer, that he was certain the feeling then was, to wait for England to take the lead, in consequence of her trouble in Canada.

Admiral Baudin has removed their delicacy on this matter. Mr. Payne has married an American wife the daughter of Mr. Lewis. they all want to go to Texas—one as a minister, the other as a planter. Mr. Lewes has been worth a good deal to me. Things look well. The facilities for travelling are so great here, that distance is nothing. If you wish it, and intend to purchase any munition of war etc. it will afford me great pleasure to go with your agent, Mr. Dangerfield who is with his friends waiting for orders.

Remember my Dear sir, if the war flag is again, hoisted in Texas, by the Mexican invader, you must allow me to go home. I can carry men enough with me, to answer all your purposes. Still I am inclined to the belief, that the interposition of this Govet, with what the British Minister has done, will hold the Mexicans in check, if their crippled means do not.

The Belgian Minister has seen me often. He is a member of the Republic of San Marino, and feels proud to advocate its principles, where his King is not effected. He is very warm for Texas, but says he has to wait for England and France. He is aiding me, to have an interview with [the] Mexican Minister and talks of going to Texas this summer. He is the most popular minister at Washington as a man.

^a Bustamante.

I will see the Mexican Minister soon after my return. I begin to sign the bonds in the morning. They are in \$500 and \$250 bonds. It will take me 10 days to countersign them.

I am most Respfuly
Your Friend etc.

R. G. DUNLAP.

LA BRANCHE TO BURNET.*

LEGATION OF THE UNITED STATES

Houston 18th June 1839.

SIR,

In obedience to instructions from my Government, I have the honor to submit the claim of Messrs Campbell and Dean upon the Government of Texas for the seizure by some of its Military Officers, of a quantity of bacon, and for damages sustained in consequence thereof. The circumstances of the case are as follows: In the spring and summer of 1838, Messrs Campbell and Dean stored on Red River in the state of Arkansas, twenty five thousand one hundred and ninety three pounds of bacon, and offered the same for sale. On the 20th day of November of the same year, a portion of said bacon, viz: five thousand pounds was forcibly seized, carried away and distributed to the Texian Army, by virtue of the orders of Brigadier General John H Dyer of the Texian Militia, as appears fully from the receipt of the Officer by whom the bacon was seized, a copy of which is herein enclosed. The bacon being assorted and the Texian officers having taken the choice parts of it, the claimants were unable to dispose of the remainder, and consequently were greatly damaged thereby.

The amount claimed is ten thousand and seventy two Dollars, thirty seven and [a] half cents (\$10072.37½ ct) say two thousand five hundred dollars (\$2500.) for the five thousand pounds of select bacon and \$7572.37½ ct. for Damages.

In presenting this reclamation, I will again invoke the attention of the Executive to such illegal proceedings and acts of violence perpetrated upon citizens of the United States by military officers of Texas, and which will be a constant source of difficulty unless adequate measures be adopted to check them.

Having thus explained the nature of the claim, I feel assured, from the equitable disposition and well known justice of the President, before whom I request you to lay the present communication, that his Excellency will render full satisfaction to the claimants.

* See Records of the Department of State (Texas), Book 41, p. 217.

I avail myself of this opportunity of assuring you of my distinguished consideration.

ALCÉE LA BRANCHE.

Honorable DAVID G BURNET,
Acting Sectry of State of the Republic of Texas.

(Copy)

Republic of Texas To C. W. Dean and Campbell Dr.
1838. Novr 20th. To five thousand pounds of bacon.

I hereby certify that I received the above amt. of bacon by the hands of R. G. Bayerly, 4500 pounds of said bacon were sides, the balance line, bones and shoulders for the use of the 1st Regt. 4th Brigade Texas Militia. Said bacon was pressed by order of John H. Dyer, Brigadier General commanding said Brigade.

Given under my hand this 20th Novr 1838

(Signed) EDWARD WEST, *Quarter Master*
1st Regmt 4th Brigade T. M.

Approved Febry 7th 1839

(Signed) JOHN H. DYER
Brigadier Genl. 4th Brigade Comd.

DUNLAP TO LAMAR.^a

PHILADELPHIA *June 22d 1839*

To the PRESIDENT:

SIR, General Hamilton informed me to day that Col Bee had written him that the Government of Mexico, had or would send a private Agent to New Orleans to treat with him for a final peace etc. I presume you have been advised of this, but for fear that some accident may have kept back this information I now write.

Can you not send me some evidence of the incursions of the Indians from the United States into Texas, upon such a shewing this Government will do all her duty requires, with perhaps this exception. Mr Forsyth said that I was under an error in relation to the duty of the United States, upon one point. That this Government was not bound to recall their Indians who went to that country peaceably before the revolution. This point he said had been somewhat settled by Mr Poinsett while he was in Mexico. I think differently especially since this Govt. acknowledges the entire obligations of the treaty of 1831

^a See Records of the Department of State (Texas), Book 41, p. 219.

between Mexico and the United States. But before I made a call on this Government on this point, I thought we had better settle the other question that of incursion, which as I before said must be based on evidence, as the agents of the United States have denied this fact.

In a personal conversation with Mr Forsyth on his way to Portland the other day he went further upon the question of the mediation than I understood, when I wrote from Washington. Mr Ellis was directed to say, that the United States had underwent no change of opinion relative to their Texian difficulties, and was directed to refer, to a conversation which General Santa Anna held with General Jackson, which was involving his fidelity as a man and an officer, to fulfill his engagements with Texas, carrying out very strongly the truth of the charge, that there was at least a strong american feeling with the Government favorable to Texas. This Mr Forsyth said he gave in the strictest confidence and so do I impart it, if I have not previously done so.

I am really annoyed daily about Texas, and the signing of the bonds,—pulled all about, which by the bye, is all truly flattering to the new Republic.

I have no doubt if Col Bee had have remained until Mr Ellis' arrival, that he would not [have] left as he did. Mexico will no doubt accept the mediation of the United States. France and England will recognize Texas as a nation this season.

Mr. Burnley left to-day for New York and will leave there on the 23d. in the Garrick for London. Mr Biddle rode with him part of the way. I have no doubt about the success of the Loan, altho money here is worth with the Brokers from 1 1/4 to 1 1/2 per cent per month

Another schooner will leave next week, one in three weeks thereafter, one of the Brigs has been launched. All will soon be ready. They are elegant models, and will be a proud ornament to our young Republic.

Mr Henry Williams was here the other day and said that the laws were so strict that, he could not ship men in those vessels. If you want seamen you had better authorize him to ship them in other vessels. He said you could order the schooners from Galveston under our own flag to New Orleans, and allow the Captain to announce her arrival with 50 or 100 men and that they would not notice this but allow her to depart with this number.

I enclose you Mr Grahams bond. He is willing to accept of the appointment of consul for this city. I prefer him most decidedly to either of the other gentlemen recommended, he is connected with his Father who is one of the wealthiest merchants in the city, besides all this he is a Gentleman of fine habits, intelligence and good character in all respects. Mr. Allen is next best. Mr. Graham is worthy

of almost any trust, and would be creditable to the Republic. He is a man that will suit your taste

I have the honor to be with great consideration
Your Obedt Servant

R. G. DUNLAP.

To his Excellency
MIRABEAU B. LAMAR.

DUNLAP TO FORSYTH.^a

LA BRANCHE TO BURNET.^b

LEGATION OF THE UNITED STATES

Houston 28th June 1839.

Mr. LaBranche presents his compliments to Mr Burnet and acknowledges the receipt of Mr Burnet's note in reply to his communication relative to the claim of Messrs. Campbell and Dean.^c As Mr Burnet awaits for information from Brigadier General Dyer on the subject, Mr. La Branche declines making at present the observations which the note of Mr Burnet suggests.

Mr LaBranche begs Mr Burnet to accept the assurances of his distinguished consideration and esteem.

DUNLAP TO BURNET.^d

NEW YORK,
June 28th. 1839.

The Hon.

DAVID G. BURNETT,
Acting Secty. of State.

SIR,

I have the honor to acknowledge the receipt of your communication with its inclosures touching the digested plans of the Mexicans and indians for the annoyance of Texas I shall without delay lay this matter before this Govet. and from the evidence, as well as the right and justice of the case look for the most favorable result.

I informed the Secretary of State this day, of the appointment of a Comr. etc to run the line between the two Govmts. I was very

^a June 26, 1839. See Dunlap to Burnet, June 28, 1839.

^b See Records of the Department of State (Texas), Book 41, p. 220.

^c No copy of Burnet's note has been found.

^d A. L. S.

happy to receive your letter on this subject, as this Govert had manifested some solicitude on the question.

I have the honor to enclose you a copy of a letter which I felt it my duty to write to Mr. Forsythe, after Colo. Bee[']s rejection, by Mexico.

I wrote this for two reasons, first, that the Mexican Minister here should be advised, that however desi[r]able it may be to our Govert. to have peace, that she will be ready to meet the alternative, and that she intends not to be delayed long, by false hopes—and secondly to show this Govnt. that while there is a reasonable hope for peace, that Texas will not blockade the ports of Mexico. These are inferences clearly to be seen from my letter. A blockade at this time, would be considered unkind, as it would effect the commerce of the United States. Great Britain would not advise its consequences. In fact it would injure our negociations for a loan for the Govnt to assume an appearance that indicated war. After this shall be effected, the Govet, with ample means, will be left to consult its own views of the course best to be adopted, for a final termination of the existing difficulties with Mexico.

I arrived here last night at 1 A M. and met Colo. Wells this morning with your despatches. He arrived yesterday. Mr. Dangerfield came here with me.

If any thing shall occur to defeat the loan, it will bankrupt our Comrs. They obtained the advances for the Govnt on their own responsibility. You are aware they cannot sell the bonds unless they get par for them, under their instructions. If the negotiation shall be transferred to Washington, as I believe it will, if we have any with Mexico, you will see the necessity of giving me some instructions, if the Govmt. intends to pay anything for a treaty of peace and limits. In your instructions you will allow me I hope, to direct the attention of the Govet, to the extension of our limits to the Pacific. This would make Texas command the respect of the civilised world. If Mexico will enter into a treaty in good faith, to settle our difficulties, she will expect to base it on a purchase by Texas. When we commence a purchase, it may be easy to extend our limits. I make this suggestion without argument, for the consideration of the Govet. I am aware that my attitude to the Govert forbids me to offer advice, still I hope my solicitude for its prosperity will be a sufficient apology for the suggestion which I have made. I will send this Govt. a communication to morrow evening with the evidence touching the indian question.

I shall be here 8 or 10 days. I have to counter sign a new set of bonds, printed in a form, to be redeemed by the sinking fund, at the election of the Govet.

I have seen copies of letters from Mexico which Mr Treat will hand you. The secret agent of Mexico its said is now in New Orleans. I am afraid there is some decoying or deluding design in this movement. I hope my entire want of faith in the present ruling power of Mexico, may prove, that my incredulity will have no future developments to sustain it

Mr. Saligny informed me this morning that he had not yet reported to his Govet. He regreted that he had not. He goes on the 6th. of July, direct to France. I believe France will act without delay on his report.

He said that Santa Anna has sent a secret agent to England. This mission has various objects according to conjecture. Some think, its to sell Texas to England—some to borrow money—some, to prevent the recognition of Texas etc etc.

Public opinion in the United States, has recently grown with a strength and rapitlity, favorable to the character and fitness of Texas, for self Govet, that she need not fear any emergencies which her enemies may ^a upon her

I regret to learn that the Prest. is indisposed. I hope heaven will protect you, and the country.

I am most Respectfully
Your Obt. Sert.

R. G. DUNLAP.

P. S. I have no secretary with me, and I have not time to copy my letters.

[Copy.^b]

WASHINGTON [CITY], *June 26th 1839.*

Honl. JOHN FORSYTH, *Secty of State*
Washington City.

SIR,

I have the honor to inform you, that the Government of Mexico declined receiving our Minister. Col Bee writes me from Havana that notwithstanding this he was treated with the utmost kindness and courtesy, and that he entertains hopes of a final settlement of our difficulties with Mexico during this season. I am inclined to think that Mexico will not refuse the mediation of this Govt. But if she should you will readily see the importance it will be to my Government to have as early information of the fact as practicable.

As they now stand you are aware that my Govt. will feel that her hands are somewhat tied. Hence it is that duty requires that I

^a Illegible.

^b See Records Department of State (Texas), Book 41, p. 222.

should lose no time in endeavoring to attain the earliest advice of the determination of Mexico relative to the tendered mediation of the Government of the United States to *that Government* of which yo[u] did me the honor to inform me previous to Mr Ellis' departure from New York. This attitude of the question and prospects of pacification will I have no doubt restrain my Government from any movement against Mexico for the present. Respect for this Government whose interposition for peace has been influenced by a friendship and disinterestedness for both Mexico and Texas, will I have no doubt have its desired and forbearing consideration with the Government of Texas.

My Government desires peace, and the President will do every thing in his power to obtain it that will not impugne the national honor of the Republic.

I embrace this occasion to tender to the Secretary of State renewed assurances of my highest consideration and respect

R. G. DUNLAP.

LA BRANCHE TO BURNET.^a

LEGATION OF THE UNITED STATES

Houston 28th June 1839

Mr La Branche presents his compliments to Mr Burnet, and acknowledges the receipt of Mr Burnet's note in reply to his communication relative to the claim of Messrs Campbell and Dean. As Mr Burnet awaits for information from Brigadier General Dyer on the subject, Mr La Branche declines making at present the observations which the note of Mr Burnet suggests.

Mr La Branche begs Mr Burnet to accept the assurances of his distinguished consideration and esteem.

DUNLAP TO FORSYTH.^b

RECEIPT OF LA BRANCHE TO WEBB.^c

I, the Undersigned, Charge d' affaires of the United States of America near the Government of Texas, duly authorized by the President of the said United States, as appears by a Power dated the tenth day of May, 1839, to receive the money due the United States

^a A. L.

^b June 29, 1839. See Roberts to Burnet, August 2, 1839.

^c For amount of indemnity in case of the brigs *Pocket* and *Durango*. D. S.

by the Government of Texas, agreeably to a Convention entered into between the two Governments, do hereby acknowledge to have this day received from the Honorable James Webb, Acting Secretary of State, a draft to the amount of twelve thousand, four hundred and fifty five dollars drawn by the President of the Republic of Texas on the Merchant's Bank of New Orleans, to be paid at sight in silver; and I do hereby give full acquittances to the Government of Texas for all claims against said Government by the Government of the United States for the capture, seizure and detention of the brigs Pocket and Durango, and for injuries suffered by American citizens on board the Pocket. The present acquittance to take effect as soon as the draft shall be paid.

Given at the City of Houston under my hand and Seal this Sixth day of July A. D. One thousand, Eight hundred and thirty nine.

ALCÉE LABRANCHE.

[With this must have been enclosed a certified copy which is filed separately, of Van Buren to LaBranche, May 10, 1839, conferring authority to give the receipt.]

FORSYTH TO DUNLAP.^a

POINSETT TO FORSYTH.^b

FORSYTH TO DUNLAP.^c

DUNLAP TO LAMAR.^d

NEW YORK,
July 21th. 1839.

MY DEAR SIR,

The President and Mr. Forsythe reached this city a few days after I sent my communication to the State dept., touching our indian relations with this Govet. I saw the Prest. and Mr. Forsythe, they both said that this Govet would do what was right, and that the matter would be refered to Mr. Poinsett the Sect'y. of War.

I wrote Mr. Roberts to call and see Mr. Poinsett, which he did, and which resulted favorably.

^a July 17, 1839. See extract in Amory to Lipscomb, May 8, 1840.

^b July 18, 1839. See Roberts to Burnet, August 2, 1839.

^c July 19, 1839. See Roberts to Burnet, August 2, 1839.

^d A. L. S.

Mr. Forsythe informed me, that he could not consent to allow the right to search American vessels as this had been refused the British Govt—But that if there was danger of negroes being smuggled into Texas, under the American flag, that some armed vessels would be ordered to cruise in that quarter. I thought it best after this to make no written proposition on the subject.

Mr Roberts will inclose a copy of my letter and Mr Forsythe's answer, to the State department. I insisted in a personal conversation with Mr. Forsythe, that this Govet was bound to recall all those indians who emigrated to Texas after the treaty of 1831, between Mexico and the U. Sts.

Mr. Forsyth seemed to think that our Govet must pass some law or you must issue a proclamation forbidding the incursion of the indians into our territory, and ordered those now within it to leave, that is, that portion who migrated to the country without the consent of Mexico, previous to the revolution, and without the consent of Texas since that period.

He then said if the indians after this, do not leave and we find it, too great a task to remove them, that upon an application, this Govet would help us. I give you all this, that you may see more clearly the disposition of this Gov't than may appear in my correspondence.

Capt Moore[']s resignation has been accepted. He is only delaying his departure for the Republic, to witness a new invention of bursting shot. They are fired like other balls from the cannon, and explode, after they strike the vessel, sticking to the same, by a percussion cap, which goes off from the jar or concussion by the striking of the vessel. It then tares it as it explodes and is believed to be the most destructive mode yet discovered for naval warfare. He is also attending to the carbines and pistols for the vessels etc Colo Dangerfield is here and waiting with much solicitude for orders etc to complete the object of his mission to the United States.

The best and speediest plan to obtain *tried* seamen, which I believe you will soon want, is to send the vessels back to this or some other port, and let the officer com.^d announce his arrival with the number of men which, it is expected he will want. When he leaves no notice will be taken. This is the mode advised by those best skilled in this matter. This is the best port for such an enterprise as concealment is more certain amidst such large and busy masses as continually throng this City.

I have heard nothing from Mr. Treat's Mexican agent at New Orleans, and I do assure you I am very skeptical about this whole affair.

A private letter reached here a few days since from the City of Mexico, stating that Genl Santa Anna retires to his farm and that

^d Commanding.

Genl Bravo takes his place. This is to be relied on. This movement satisfies me that Bustamente *intends*, to invade Texas, and that Santa Anna *intends* to place himself in an attitude to his own people, to take advantage, of the defect and failure of Butemete^a which he anticipates as certain. I have no doubt that Santa Anna has done all he could to induce Bustamente to invade Texas, looking at this movement, as his only hope for power at home. To get clear of Bustamente is with him to be without a rival at home. I saw yesterday two intelligent gentlemen from Mexico, who said to me, that the only reason, that induced the Central party to call Santa Anna to the Presidency at ^b interim, was the fear that he would declare for the federalist[s], in which event they are of the opinion, that the federalists would have succeeded. They say there is a cat in [the] meal, by his retirement.

These men doubt the ability of Bustamente to organise a competent force to invade Texas, and with the command of the gulf, which you may soon have, without a blockade, they say Bustamente can not annoy us long, and can not sustain his army with either provision or munitions of war. I give you this for what it is worth.

An American brig the Casper Hausser left here yesterday loaded with pow[d]er for Mexico. Several -----^c vessels are building here, as is believed for Mexico. Mexico has but one schooner left. The French refused to restore the vessels which they captured. Mr Saligny left a few days since in one of those captured vessels for France. He will report favorably and says he has delay'd his report until he could go and -----^c it in person. France will act immediately on his report and I have [no] doubt England will then follow.

Knowing the catholick prejudices of [the] King of France, I suggested to Genl Henderson, the propriety, to say to the Popes legate of Paris, that the appointment of a Bishop for Texas would, be acceptable to his Govet. Dr Franklin done this while he was minister to France and an appt. was made for the U. States. Mexico has induced all the Catholick countries to believe that the situation in Texas, was caused, alone by hostility to the catholicks. The Pope's appt. will be almost a recognition of Texas by France. It will quiet all prejudices on this point. This is not forbid by the liberal toleration of our institutions, Mr. Saligny was highly pleased with this movement. He is a bigoted catholick. Would it not be advisable to say to Genl Henderson that this would be acceptable to you.

Dr. Breckenridge is doing and has done Texas great good. He is a noble spirit and deserves our gratitude.

I do not like to give any advise or make suggestions which may possibly have an unhappy influence on the affairs or interest of the

^a Bustamante.

^b Ad.

^c One word illegible.

Republic. But if you have any confidence in this Mexican agent, about which Mr Treat has or will inform you, and of his power to settle our difficulties with Mexico, I would not allow our Comrs to sell more than one million of the bonds at ten per cent. They are all filled at ten per cent. If we have peace, or a recognition by France and England we can get as much money as we want at 5 or 6 per cent. I said this much to Genl Hamilton and told him it would not do to give ten per cent after either of these events. He replied that we could not get the loan untill after the recognition by France or England. You know the delicate and critical situation of the country better than I do, and will know how to treat those suggestions.

Genl. Hamilton expects to leave about the first of August. I do not doubt his success. If we have an invasion which is very probably, the money will be indispensable at almost any sacrafise.

I give this to you as a private letter, but you can use it as you choose. My official letters I sent to the State Department. I am much pleased with the arrangement of your present cabinet.

Dr. Moore of Houston was here the other day, and spoke of you and your administration in the most flattering terms.

I saw Mr. Tod a few days since, he is hurrying the completion of our vessels. Nothing shall be left undone within my power to be ready to meet any emergency which the vulgar enemies of Texas may cast upon us.

I hope heaven will preserve and protect you,
I am Yr Fnd and humble sert.

R. G. DUNLAP.

P. S. Mr Tod said to me the day that he would like to hear from the navy Dept. relative to his rank. He was promised by Genl Hunt the second rank in the navy. He is truly highly deserving. I have heard several of the officers of the navy here, speak of him in the highest terms of commendation.

R. G. DUNLAP.

N. B. The Great Western arrived to day at 2 P. M. Cotton was on the decline stocks falling, interest raise[d] $\frac{1}{2}$ per ct by the bank of England. This all makes the money market there gloomy and creates quite a stir—a panic here in the commercial community.

Dr. Breckenridge is selecting a chaplain for the navy at Genl Hunt's request. You must not disappoint the Dr. If you do not want this let me know it that I may save the Dr's feelings in the rejection. He is our best friend.

R. G. DUNLAP.

I saw yesterday three \$100 notes of the last issue gross counterfits, but the paper or plate is genuine. These were passd by a black man named Wm., who came here as the servant of Colo Wells. I under-

stand a box of the paper was lost in the Cuba. Some fellows have stolen it and signed it. I tried to catch him but as yet have failed.

This still helps to lessen public confidence in our currency. But such accidents can not perhaps be avoided. Would it not be well to inform the public how this paper got out of the hands of the Govet or its agents.

R. G. DUNLAP.

ROBERTS TO BURNET.^a

WASHINGTON CITY
August the 2nd 1839.

To the Hon DAVID G BURNET,
Acting Secretary of State.

SIR

In the absence of Genl. Dunlap, I have the honor to inclose to you Copies of a note of the 29th June from Genl Dunlap to Mr Forsyth and the reply of Mr Forsyth thereto on the 19th Ult. It may not be improper to remark that Mr Poinsett ^b is not so full and explicit in his letter to the Secretary of State, (who had refered the subject wholly to him) as he was in a conversation I had with him upon presenting Genl Dunlaps note. He then assured me that if [it] became necessary he would not only restrain the Indians within the limits of the U States by force, but that he would with-hold their pensions and supplies which would entirely incapacitate them from doing us any injury. He further informed me that he was at that time about marking out a tract of country (to which they would speedily be removed) for the Caddoes, and that in the mean time a most vigilant watch would be kept over them.

I embrace this occasion to tender to you assurances of my high consideration and regard.

SAML. A. ROBERTS

DUNLAP TO BURNET.^a

SARATOGA
Augt 12th. 1839.

SIR

I have the honor to inform you that since Mr Poinsets orders have issued to the officers on the Western frontier, a copy of which has been forwarded to your dept.—that I saw Mr Forsythe here a few

^a A. L. S.

^b In his letter to Forsyth, July 18, 1839, which was also enclosed.. None of the enclosures mentioned is now on file with the letter. For all three, see Calendar. Dunlap to Forsyth, June 29, 1839, is transcribed in the Records of the Department of State (Texas), Book 41, p. 234.

days since and stated to him, that these orders should go farther, and restrain all the indians within the United States from incursions into the Republic. He replied that Mr Poinsett would be here in a few days and that I might see him and rest assured that this should be done.

I came here to see Mr Forsythe and shall only delay here untill Mr. Poinset's arrival.

Genl Hamilton left on the 1st inst for England and has no doubt of success.

Mr Henderson writes me that the King of France will act upon the recognition as soon as Mr Saligny's report reaches Paris if it be favorable. Mr Saligny is in Paris by this time, and his report will be very favorable. England will then follow, as she considers her Canadian difficulties settled. Genl Henderson wishes new credentials as his old ones are informal and he can not be presented to the King, as they now are after the recognition at [the court of] neither France nor England. He also wishes to return home after this event as his health is bad.

Mr. Pontois the French Minister to this Court, said to Genl Henderson on his return to Paris, that Mr Biddle told him, that as soon as France recognised Texas, that he would let us have as much money as we wanted. I believe that the loan will be obtained.

I hope you will pardon this suggestion. In forming commercial treaties, I would not make any conventional arrangement for the importation of goods into the Republic. I think the right of impost and duties should be left exclusively to the action of our own Govt, untrameled by treaties.

I have the honor to be with the highest consideration

Your Obt Sert

R. G. DUNLAP

The Hon DAVID G. BURNETT
Acting Secty. of State.

MANY TO JONES.^a

DUNLAP TO BURNET.^b

NEW YORK Aug 26th 39

SIR,

It gives me great pleasure to advise you of the condition of the question of recognition with the French government. I received a

^a August 25, 1839. See Dunlap to Burnet, October 12, 1839.

^b L. S.

letter this evening from Gen. Henderson of the 28th Ult. stating that the King of France had agreed to acknowledge the Independence of Texas by a Treaty of Commerce etc. He insisted that he should first be received as a Minister, and then as equals to enter upon the Treaty. This was right. He however says that he will agree to the recognition by Treaty if the King makes it a sine qua non. The recognition is certain and openly spoken of at Court.

This event will secure the Loan although the money affairs of England are in a crippled state. England will soon follow, but she will exact the same terms which may be granted to France.

Capt. Todd informs me that one of the Brigs will sail for Galveston on the 5th. of September with the 100 guns which I purchased of Mr. Colt and which arrived too late to have been sent by the last Schooner.

I saw Mr. Poinsett a few days since for the first time. All our Indian relations have been referred to him. I stated to him that his order and letter to me, which have been forwarded to your Department, did not cover the whole ground of my application to this Government. After a full conversation he assured me that no number of Indians, under any pretext should make incursion into Texas, that he had given orders to this effect, and that he would repeat them to the officers on the frontiers to restrain them from crossing the line, and further to inform all those Indians that if they did not desist from their incursions that he would stop their annuity, and place a competent force near the borders to keep them in check.

Mr. Poinsett has agreed to recall the Caddos, so soon as he can obtain a place for them. I insisted that he should recall all those who had entered our Territory after the Treaty of 1831. He said we would talk this over in the fall at Washington, and suggested many difficulties etc, but concluded by saying that I might assure the President that the Treaty touching the Indians should be executed in good faith. I repeat, none but the kindest feelings exist with this Government for the welfare of Texas.

The other Brig and the Ship will not be ready before the first of Nov. as things now appear.

Capt. Todd is one of the most business and trust worthy gentlemen, to whom the National honor, and public money can be confided. He expects the second command in the Navy, and I am su[r]e in such an event, that the chief labor and detail, essential to the establishment of a naval character will devolve on him. In saying this which is nothing less than truth and justice, I do not intend to disparage Capt. Moore's well earned, and well established claims to the rank which has been given him by the President. Moore is a sailor, a man of science, and of undaunted gallantry. He was one of the finest officers of his grade in the U. States Navy, still he is not the

man for labor and detail, so important to the successful completion of all useful systems. Mr. Todd combines this quality in an eminent degree, with a useful and practical knowledge of his profession. He and Capt. Moore can organise the Navy, and give it usefulness, and build its character upon a proper basis.

It is from my knowledge of the character of men which best suits the President's taste, that I am induced to give this voluntary testimony of the worth and claims of these two gentlemen, and I trust that my motives may not be misunderstood, let my opinion pass as it may.

I have conversed with Col. Joseph M. White this morning relative to the mission to France. He is willing to accept, but thinks he should visit the Country first and take the oath of allegiance etc. His competency is beyond controversy.

I have the utmost confidence in the purity of purpose which actuates Gen. Henderson, as well as his ability for his present station; But, I shall regret deeply the necessity to which he may yield to place the recognition upon any commercial advantage to France. Should he however be driven to this alternative, the building up the National character, on a faith that should never be violated, will no doubt, justify the Govt. in sustaining the Treaty.

I have had it announced in one of the City papers that France had agreed to recognise Texas, and that the official notice of the fact may be looked for with certainty in a short time. This will have a tendency to advance our money and strengthen public confidence in the united States relative to the prospects and fixed destiny of the New Republic.

The public journals in the U. States have during this whole season and are still, sustaining Texas and her present administration with an ardor and intelligence worthy of the age, as well as of its enlightened advocates of public liberty. All that Texas wants is union and harmony at home. With this, time and circumstances will keep her onward march, to the fulfillment of all her happy promises to herself as well as to mankind.

I am induced to believe that Bustamente's return to Mexico, is favorable to Texas. It is however difficult to form any correct opinion upon the changing incidents of such a people as the Mexicans are.

Should the negotiation for peace be agreed on by that Govt. and it be transferred to Washington, I shall be happy to learn from the Govt. whether I may extend the limits to the Pacific, and if so upon what terms. The only objection (and it is one of potent influence) against emigration, is the Indian wars, and the consequent insecurity to persons and property. The only answer to this is to have a com-

petent, well armed and well appointed force in the field. In time of War be prepared for battle. This is a sure messenger of peace, and is all that Texas wants to constitute her truly the *happy land*.

I have the honor to be with the highest consideration and respect your obet and Humble sert.

R. G. DUNLAP.

The Hon.

DAVID G. BURNETT,
Acting Secty of State.

DUNLAP TO MARTÍNEZ.^a

MARTÍNEZ TO DUNLAP.^b

DUNLAP TO MARTÍNEZ.^b

DUNLAP TO BURNET.^c

WASHINGTON [CITY,] *Octr 12th 1839*

SIR

I have the honor to transmit to you, a copy of a correspondence between myself and the Mexican Minister resident at this court.

I had some difficulty in obtaining a personal interview with Mr. Martiniz. Through the kindness of the Belgian Charge Mr. Ser-ruys I succeeded. I pledged myself that the world should not have this, untill results should justify the exposure. So I give it *in strict confidence*.

You will discover from my letters that I gave them a caste,^d to protect the Mexican Minister against the vanity and Jealousy of his own Govet.

I have had three interviews with Mr Martiniz at his own house, and one in my room, our correspondence was delivered by each other. This day Mr Martiniz handed me his dispatches touching the whole matter for me to send to Mexico, and he sends a duplicate. He read

^a October 8, 1839. See Dunlap to Burnet, October 12, 1839.

^b October 9, 1839. See Dunlap to Burnet, October 12, 1839.

^cA. L. S.

^d Cast.

me his letter to his Govet. He has taken a liberal and sensible stand on the propositions of my letter, and is most decidedly for peace.

He told me what he had written his Government last spring, of which I have advised the President. All this was *confidential*, as it resulted from what passed from me through Mr Forsythe, connected with the action of this Govnt. His Govet thanked him for his information and opinions, and said they would be duly considered.

Since this Mr M. received a private letter which he showed me in confidence touching the question of pacification. The reason that the writer assigns for the delay of the Govet is that, the President and Cabinet are fearfull that their enemies might effect them with the people. He says that he has no doubt but that Bustamente will agree to the truce for two or three years, and in the mean time all fears and prejudices will disappear, and a treaty of limits etc will soon follow.

The question of extending our boundary to the Pacific, he thinks will be objected to by other powers. They will see he says that the trade to China will be claimed from this Govet, and be brough[t] through Texas. I do not believe other powers will care about this. I should not have mentioned this extension of our line, had I not here seen the instructions to Mr Treat, as it is not mentioned in my instructions.

Mr Martiniz informed me that Santa Anna did last summer, design the invasion of Texas—and that when he asked Congress for a suitable appropriation, that the proposition was laid on the table by Bustamente[']s] friends, and that there it yet sleeps.

The fact which I stated that our Govet had declined to unite in the civil wars of Mexico, would have great influence with the Govet and the people, and more he thinks than any other consideration.

The Mexican Congress is now in session revising their constitution. The regular session commences in next December. Mr M. believes that my letters and his will all be submitted to Congress, as he says this is the first proposition coming directly from Texas for peace.

Mr Martiniz is well acquainted with the character of the President and his cabinet, and of the character of population migrating to the Republic, all of which he has advised his Govet. He also is well informed of the feeling for Texas in the United States, and he admitted to me that the invasion of Texas, would terminate in the overthrow and ruin of Mexico.

Mr M. is a sensible and a just man, and what he has done in this matter, was under the dictation of duty and patriotism.

I have the honor also to inclose a copy of a letter from Colo. Many inclosed to him by Mr. Forsythe shewing the condition of the indians on our borders. You see by this that no attempt has been made by the indians, to unite with those in Texas. This at all events is the

evidence upon which this Govert will act, unless as I have previously written to the Govert, counteracting evidence shall be produced. But I hope this question is at rest. The Caddos will be recalled. The difficulty of deciding when and what particular indians emigrated to Texas, makes it a perplexing question to ask this Govet to recall any, unless the application be attended with the number and description of the indians desired to be expeled. I suggest this, that you may consider what is best for me to do, of which I shall be happy to be informed.

I have given you, rather a tedious detail, that you may see the whole ground, and the prospect of a settlement of our difficulties, without the wasting of either blood or treasure.

If the Govet will only patiently persue the policy, adopted by the President, in relation to our Mexican difficulties, we will have peace, sooner and on better terms than it has ever fallen to the happy fortune of any other country. Kindness and liberality towards the Mexican traders and people, will do much for us,—give the country all it wants from Mexico. But it will take time, as it always does, to produce great results. Texas is advancing in public opinion in Europe and America. If she is just to herself she has every thing to hope and nothing to fear.

I also enclose a copy of a letter from the President of the United States bank, which shews the only terms by which money could be obtained for Mr Treat.^a I would not have agreed to allow this money to remain in bank, but after reading the instructions to Mr. Treat I felt sure, that the President and Cabinet deemed this an important mission. The delay, that the waiting for the permission of the President would occasion, was too great if any thing valuable was to result from the mission, of which I entertain the most sanguine hopes. I hope if my conduct be objected to in this matter, that you will be mild in your rebuke, and do justice to my motive.

I trust you will pardon me while I call your attention to a post or mail arrangement between the United States and the Republic of Texas, which I made with the Post Master General here and transmitted to your department in May. This only wanted the acceptance and ratification of the Post Master General of Texas.

Aside from the general convenience which would result to the citizens of both countries from this arrangement, my own convenience would be greatly consulted.

I now have to pay the postage upon all communications which I make or receive to and from the Govet. of Texas. This arrangement is nothing more than extending the mail system of the United States into Texas.

^a This copy has not been found.

The Liverpool brings the news that France has acknowledged the independence of Texas. Genl Hamilton has returned with the prospect of getting the loan by December.

Its thought that England may not act upon the recognition, untill she sees what is to be the fate, of her tendered mediation to Mexico. This is all that will delay her action.

The Ballance of the Powers of Europe will follow England. Belgium and Russia would now act if we had agents there, or some Comrs with powers to act with all the European Goverts.

Genl Henderson will not return untill he ascertain[s] what Great Britain intends to do.

Our ship has been launch[ed] and will sail next month, for the Republic. The last brig will be out about the first of Decr. as you advised.

Colo Dangerfield writes me that he is proceeding well with his contracts for the war Dept.

I have had the honor to receive a letter from the war and navy Depts., of the acceptance by the Govt, of the 100 Colt rifles, which I sent out, of the contents of which, I will advise the contractors. If I had not believed that the country was about to be invaded I would not have taken any portion of those arms without the ratification of the Government. I could not have made the contract as I did if I had not have taken what I did. But as my motives have been duly appreciated, by receiving no rebuke from my Govert, I shall in future confine myself to my instructions.

I avail myself of this occasion, to offer to you my high regard and consideration.

R. G. DUNLAP

HON D G BURNET
Acting Secretary of State.

(Copy.)

WASHINGTON [CITY,] *Oct 8th 1839*

SIR

You have been informed some months since that I am invested with power from my Govt. to terminate by Treaty the present relations which unhappily exist between Mexico and Texas.

This power was confered upon me with the expectation, that should the disturbed condition of Your Country forbid Your Govt to receive and treat with Col Bee that they would transfer the negotiation to this place with authority to you or some other agent to submit the case to the mediation of some friendly power. The President of Texas made the overture for peace by sending a mission to

your Government which amidst a civil war^a they declined. In this he was guided by that wisdom which the happiness and well being of every civilized nation dictates. Peace is the natural condition of men and nations, and in the utmost frankness I assure you that the President will leave undone nothing but that which national honor shall forbid, to obtain it.

Tranquility has been restored to your Government. The agitation of Revolution no longer disturb[s] her councils. Is not this a propitious time for your Government to decide whether she will accept the overture for peace and no longer keep suspended and crippled the energy and resources of the two Governments. I am further authorized to agree to a truce, a total suspension of all hostilities for two or three years by each Government giving the guarantee of some friendly power that there shall be no violation of the terms of the truce, and that six months notice shall be given by either nation before the recommencement of hostilities.

If your Govt. will agree to establish the dividing line between the two Govts so as to run in some suitable manner to the Pacific, the Republic of Texas will give an equivalent in money. Whatever shall be just and right will be given by my Govt. whenever the extent of the boundary shall be designated by the Contracting parties. Texas has no national animosities to gratify against Mexico. She has no ambition to waste her blood and treasure in the field of conquest. She has declined the earnest importunities of your own Countrymen to become a party to your civil wars. She was driven reluctantly into the late revolution by a devotion to her rights, and she will never yield that which was so dearly and so nobly won in the contest.

The power and destiny of revolution has marked our separation from Mexico. The tendency of the principals of this enlightened age has demonstrated in the history of Mexican Independence as well as by other memorable examples that a revolution guided by a love of liberty never retrogrades—onward and onward is its advancement. The present apparent attitude of the situation and condition of Texas and Mexico forcibly presents the question whether peace or war be most conducive to the honor, happiness and prosperity of either nation. More than one Government has offered to interpose her counsel and influence for the settlement of the present difficulties between Mexico and Texas. This manifestly indicates that peace is, in the opinion of those Govts. the only happy and legitimate state for any civilized nation.

Pardon me while I invite you to look at the two revolutions of the American and Mexican Colonies and of the wisdom and magnanimity displayed by the mother country in one case, and the total want of both in the other, with the consequences upon each of the new Govts.

^a War.

So soon as the fate of arms decided for the Independence of the United States, Great Britain mindful of her interests and her duty formed a treaty of alliance, peace and commerce with her rebel colonies the fruits of which have been richly and beneficently felt by both nations. The effect of this wise liberality on the part of Great Britain, has been so to blend and advance the prosperity of both nations, that one could not now scarcely exist in a state of commercial prosperity without the other.

Of the fatal effect of the tardy and illjudged course of Spain towards her revolted colonies who had so gallantly won their Independence, none can be better informed than both you and your Government. Mexico and Texas are neighbors, and that system of policy which will have the happiest tendency to facilitate each others prosperity is certainly well marked out to the rulers of each Government. If your Government shall drive Texas from all hopes of a peace she will use the means within her controul for the final and permanent security of herself. This, I pray you to believe, is not said in the spirit of a threat. It has often and urgently been pressed on the President of Texas, that the surest and speediest way to obtain peace was to make war upon Mexico—this will be his last alternative. I ardently trust that the necessity for such a result may never occur, and that the time is not distant when Mexico and Texas shall live side by side in the bonds of that harmony and good will which is dictated by the interests of the two nations. If you will forward this to your Government and say to me that you entertain hopes that your Government will either make peace upon a permanent and just basis or agree to a truce as proposed, I will write my Government which will restrain them from making any offensive movement either by sea or by land against Mexico, until a sufficient time shall have elapsed for the action of your Government.

The Minister of Texas embraces this opportunity to tender to the Minister of Mexico his personal regards and distinguished consideration.

HON F PIZARRO MARTINEZ
etc etc etc

R. G. DUNLAP.

Translation of Mr Martinez Letter to R G Dunlap *

(Secret and entirely confidential)

GEORGETOWN D. C. *Octr 9th 1839.*

DEAR SIR.

I have received your letter of yesterday addressed to me. Not being empowered by my official attributes to enter into any argument on

* See Records of the Department of State (Texas), Book 41, p. 390.

the very important points to which you refer therein, I shall be constrained to limit myself solely in the present case to the communication of its contents to my Government, whose decision on the subject will be communicated at your convenience.

I have the honor to assure you of my high consideration and to subscribe myself your very obedient and assured Servant, who kisses your hands

FARRO PIZARRO MARTINEZ

Senior Dn. R. G. DUNLAP,
Washington [City.]

(Copy.)

WASHINGTON [CITY,] *Oct 9th 1839*

SIR

I have the honor to acknowledge the receipt of your note of this date in reply to my communication of yesterday.

I do not object to your manner of addressing me as a mere private individual. Your Government has not recognized the Republic of Texas and consequently you cannot as her representative. My object in writing to you was that your Government might be advised of the spirit and feelings with which the President of Texas was actuated in making his overtures for peace, and I believed you would feel it your duty to place the propositions submitted in my letter before your Government

This mode since Col Bee's rejection was believed by me to be the most certain one to give your Government the wishes of the President and Cabinet which would enable your President and his Cabinet to meet the questions for peace fairly and understandingly.

I am truly happy to learn that although you have no authority to entertain the question of the final settlement of our difficulties, that you have consented to submit the matter for the consideration and decision of your Government

The minister of Texas tenders to the Minister of Mexico his high regard and distinguished consideration.

R. G. DUNLAP

To

F PIZARRO MARTINEZ
etc etc

[Next follows Many to Jones, August 25, 1839.*]

* See Calendar.

DEPOSITION AND PETITION OF JOSEPH SHEPARD.*

REPUBLICK OF TEXAS

County of Matagorda

Personally appeared before me Silas Dinsmore Chief Justice in and for the County of Matagorda and said Republick Captain Joseph Shepard who being duly sworn states that the schooner Robert Center whereof he is Master is detained by the sheriff of said County under a pretended process and has been dismantled of her sails and now lying in the bay of Matagorda and in great danger of being lost in case of storms That the said vessel is detained for pretended offences arriseing on the high seas and beyond the limits of the Republick of Texas That although this affiant does not admit that any cause of action or offence has been committed yet if any it is a case of Maratime and admiralty Jurisdiction as he has been informed and that he wishes an admiralty court appointed to try the same according to the Maratime Law and Laws of Nations and therefore wishes a court appointed by the President his Excellency Mirabeau B. Lamar according to an act of Congress approved the 7 June 1837 entitled an act to prescribe the mode of holding Courts of Admiralty to try the said schooner or adjudicate the charges against her

JOSEPH SHEPARD

Sworn to and subscribed before me 4th Nov. 1839

SILAS DINSMORE

Chief Justice

In testimony of the foregoing I have hereunto set my hand and affixed the seal of the court the 4th day of Nov. 1839

SILAS DINSMORE

Chief Justice

To his Excellency Mirabeau B Lamar President of the Republic of Texas the undersigned Master of the Schooner Robert Center would respectfully represent to your Excellency that he is a stranger in this Country and from what he has heard from many persons of Judge James W. Robinson he does not wish him to sit in judgement on his said Schooner but has no objection to any other Judge in the Republic

Respectfully

JOSEPH SHEPARD

Master of Sch
Robert Center

* D. S. The certificate of Dinsmore and the appended statements of Shepard are both autograph documents signed.