

LA BRANCHE TO BURNET.<sup>a</sup>CITY OF AUSTIN, *November 28th, 1839.*

The Undersigned, Chargé D' affaires of the United States, in compliance with the orders of his Government, is again under the necessity of representing to his Excellency the President, through the Honorable Secretary of State, that another violation of the territory of the United States has been committed by a military officer of Texas.

From the papers in possession of the Undersigned, it appears that, on the 3rd of August last, a captain in the Texian Army, with six or eight men under his command, arrested and carried away with him three or four men, who, he alleged, were deserters. The impropriety of such proceedings is so manifest that the Undersigned contents himself with merely laying the matter before this government, persuaded, from the just disposition always evinced by the President, that he will cause steps to be taken to ascertain the correctness of these statements, and if, upon investigation, they are corroborated, it is expected by the Government of the United States that the officer shall be made duly sensible of his error.

The inhabitants of Shreveport and its vicinity are kept in constant excitement by these continual incursions made under various pleas and pretences. They are incessantly renewing their complaints, and unless suitable measures be adopted to preclude the possibility of these violations of the territory, the consequences may be such as wisdom might have cause to regret—the alienation of friendly regards between the people upon each side of the boundary, animosities and bitter feelings, which may finally cause much trouble and misfortune. The Undersigned is confident, however, in the sentiments that animate the President, and flatters himself that this renewed appeal will have the effect desired, and that, by the execution of prompt and efficacious orders, the harmony and good understanding, which it has always been the desire of the Government of the Undersigned to maintain, will continue to subsist unimpaired.

The Undersigned has the honor of renewing to the Honorable David G. Burnett, Acting Secretary of State, assurances of his distinguished consideration and respect.

ALCÉE LA BRANCHE.

Honorable DAVID G. BURNETT

*Acting Secretary of State of the**Republic of Texas**City of Austin*

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<sup>a</sup> L. S.

LA BRANCHE TO BURNET.<sup>a</sup>

CITY OF AUSTIN 2d December 1839.

SIR,

Your note of the 29th ulto. in reply to my representation of the 28th was handed to me this morning. I shall lose no time in laying it before my government.

With great consideration and respect, I remain, Sir,  
Your Obt Servt.

ALCÉE LA BRANCHE

Hon. D. G. BURNET

*Acting Secretary of State*  
*Austin.*

SHEPARD TO LA BRANCHE.<sup>b</sup>HENDERSON TO BURNET.<sup>c</sup>

PHILADELPHIA

December<sup>e</sup> 1839.

To His Excellency

D. G. BURNET *Acting Secy of State*

Sir

I[t] becomes my duty to inform you of the treatment which I met with upon my arrival in the City of New York at the hands of Messrs Hollbrook & Co and Messrs <sup>a</sup>Kissam & Co. of that City who caused me to be arrested for a debt which they alledged I stand security for to them although they knew that I was the Minister of Texas and on my way home. The first intimation I had of their clames against me was from the sheriff who came to my apartments and arrested me with as little ceremony as he would have arrested a common fellow although I exhibited to him my commissions as Minister of Texas to France and England and protested against the arrest as an insult to Texas and a violation of her Ambassadorial rights. I refused to give security for my appearance at Court and moved by my counsel to have the proceedings quashed and myself discharged from arrest. The court after a full argument unani-

<sup>a</sup> A. L. S.<sup>b</sup> December 6, 1839. See La Branche to Burnet, December 19, 1839.<sup>c</sup> The date endorsed on the back of the original is December 9.<sup>d</sup> In the original the initials "T. T." are pencilled in before the name.

mously decided that my arrest was illegal and insulting to Texas and ordered my discharge. I was kept under arrest for nearly a week. The Plaintiffs used every effort to harrass and insult me by delaying the final decision of the Court by reporting that I had clandestinely left the City and gone to Baltimore although I was under arrest and on my parole, by causing the abolition papers of the City to abuse and insult me and Texas because I claimed for her the privilege which every sovereign Nation is entitled to. The plaintiffs proceeded with their eyes open as the sheriff told me when I exhibited to him my commissions that they had informed him who I was. I was not aware that any man in New York had a claim against me until the sheriff arrested me and I now assure you that I am not aware that the claim is just as I have not the slightest recollection of becoming security for any debt to them. If I ever did so it was in N Orleans and I knew not where the payees lived nor their names. (I have not even been favoured with the sight of the notes on which they sue) but these are irrelevant things as the insult and injury to Texas would have been the same if the debt had have been my own. In that case I would have paid the debt but first resisted the arrest and after my release insisted that the offenders should be prosecuted by the U. S. Government. I was very much annoyed and delayed by the conduct of the Plaintiffs. I have communicated the facts to the Resident Minister of Texas at Washington and requested him to lay the matter before the Government and insist on its directing its District Atto. to prosecute the Plaintiffs in both cases as well as the sheriffs for that violation of the rights of Texas and insult to her honour. They cannot refuse to make the order—indeed should the insult be permitted to pass by the dignity of Texas will fall below—far below the common standard of Nations

I therefore submit to you most Excellent Sir, whether or not you will by the direction of the President add to the demand of Your Representative at Washington the strength of the Executive authority of Texas. If it is not done Texas will [be] subject in future and will in reality deserve to have her Ministers abroad harrassed and insulted on all occasions. I herewith forward to you a copy of the opinion of the Court which dismissed the proceedings.<sup>a</sup> I hope to be in Texas before the 1st of January next.

I have the honour to remain your most

Obedient and very humble servt

J PINCKNEY HENDERSON

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<sup>a</sup> The copy of the opinion is not on file with the letter.