

Correspondence for 1843-1846.

HOUSTON TO [ROMAN].^a

[Requesting the surrender of an "individual, calling himself by the name of Poufief, Pouief, alias" ———, charged with murder in Texas.]

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EVE TO JONES.^b

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EVE TO WEBSTER.^c

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VAN ZANDT TO ARCHER.^d

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VAN ZANDT TO JONES.^e

Dispatch No 94

LEGATION OF TEXAS
Washington City, 11th Jan'y
1843

To the Hon
ANSON JONES
Secretary of State of Texas.

SIR

I have the honor to acknowledge the receipt this morning of your communication of the 23rd ultimo informing me of the appointment of a time and place for the meeting of the several Indian tribes or their chiefs for the purpose of entering into treaty stipulations with the Government of Texas for the securing and maintaining a permanent peace with these tribes, with instructions to immediately call the attention of the Government of the United States to the subject that a commissioner or commissioners might be appointed to act in conjunction with the commissioners on the part of Texas to effect this object and by which the United States should become a party to such treaty or treaties that might be concluded between the parties. In obedience to your instructions I have hastened to lay this subject before the President and Secretary of War in a personal interview

^a January 2, 1843. See Records of Department of State (Texas), Book 40, p. 187-188. Roman, whose initials are A. B., was governor of Louisiana.

^b A. L. S., January 2, 1843. See Calendar of Correspondence with the United States in Part I.

^c January 7, 1843. See Calendar of Correspondence with the United States in Part I.

^d January 10, 1843. See Van Zandt to Jones, March 13, 1843.

^e L. S.

which I have just had believing that to be the better method, that I might explain more fully the objects of the Government of Texas. The result of this interview I submit for your consideration.

The measure is highly approved of by the President and Secretary of War and the greatest solicitude is manifested by them both, to co-operate with the Govt of Texas in her efforts to secure peace with the Indians and give security to the frontiers of both countries; but it is the opinion of the Secretary of War that it will not be possible for this government to send its agent with the necessary instructions in time to enable him to reach the Waco Village by the 9th to 20th of February that it would require several days for the Secretary to examine the subject and prepare the instructions of the department to the Agent which should govern him, that, in fact the leading features of the arrangements to which this Government was to become a party must be specifically set forth to the agent in his instructions and beyond which he would not be authorized to act. The secretary then proposed to submit the same to me for examination and discussion so soon as he should determine upon the different points. The secretary informed me that Mr Armstrong who is the general Indian Agent in that quarter was the individual who would be appointed as commissioner; that his residence was at Fort Gibson and that thirty days would be required to communicate with him, adding five days to prepare his instructions and twelve days for his traveling to the Waco Village would bring it to the 25th of February as the shortest time possible at which he could be expected to meet the commissioners on the part of Texas with the Indians. The Secretary then urged the propriety of a postponement of the Council untill some time in the spring. To this I replied that it was important that no disappointment should be had. One disappointment having already occurred should we neglect the present opportunity we could not rely upon another meeting with any degree of certainty and further that anticipating the renewal of active hostilities with Mexico during the early part of the ensuing spring, it was highly necessary to Texas to secure peace with the Indians in advance. Upon urging these with other considerations the Secretary of War agreed to take up the subject forthwith and forward the instructions as early as possible with directions that the Commissioner should delay no time in repairing to the appointed place. I do not think it possible for the Commissioner to reach the Waco Village before the 25th of Feb or 1st of March. I have said to Mr Spencer the secretary of war that I thought it possible that the Indians might be detained untill that time. I therefore hope that our commissioners will be informed of these facts that they may act accordingly. It is certainly of the highest import that the United States should become a party to such treaties as may be concluded with the Indians, and that every effort should be used to detain them untill the arrival of Mr Armstrong the United States

Commissioner. For this reason I have hastened to lay before your department these facts in relation to it.

I am a little surprised and much regret that not one word is said in your communications in relation to the movements of the forces under Genl Sommerville,^a the action of Congress, the measures of the Government or anything whatever save the subject of the contemplated Indian treaties. With the greatest deference to the department I do think that I should have some information from the Government upon such important subjects. Under the instructions of your department I have been charged with negotiations of several important matters, towards their accomplishment I hope my efforts have not been wholly unavailing especially those which relate to our relations with Mexico and which are directly connected with the movements of our forces against that country. Surely to a proper discharge of my duties it is important that I should not only be informed upon these matters but that such information should come from a source upon which I might rely, not the vague rumor of a partisan newspaper for this is the only opportunity I have had lately to learn anything of Texas.

I am satisfied that it is only necessary to call your attention to this subject. The known intelligence and experience of the Secretary of State while acting as the Texian Minister here I hope will be found as sure guarantees that in future I shall at least receive a passing notice from his department.

I have not time to communicate other matters which I desire as I want to get this in to-day's mail. On tomorrow I will forward another despatch to your department in relation to the interposition of this Government. I will however take occasion to remark here that a movement having been made against Mexico it will alter very materially the measures proper to be taken by this Government. Every measure should now be used to sustain the efforts of Gen Sommerville by reinforcement or other means within the power of the Govt—the news last night from Mexico says that they are on the eve of a certain revolution, the expedition to Campeachy would likely fail—the rumor at Vera Cruz was that 3000 Texians were on their march for the Rio Grande and every effort was making to *give a good account of them*.

In great haste I have the honor to be with great respect

Your Obt. Sert.

ISAAC VAN ZANDT.

P. S. Please remember me to the President and Genl Terrell

P. S. Mr. Serruys the Belgian Charge d'[Affaires] and Baron Bodisco the Russian M Plen.y requests me to present their respect to the Sec of State.

thine

V. Z.

^a Somervell.

EVE TO JONES.^a

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P. S. Your note of the 24th of December, upon the subject of the money advanced by General Thompson, to the Santa Fe prisoners has been received I am much gratified at the prompt manner with [which] the President brought this subject before Congress.

Very Respectfully your Obedient Servant

JOSEPH EVE

[Next is transcribed a copy of the resolution of the Choctaw Council, October 7, 1842.]^b

 VAN ZANDT TO WEBSTER.^c

 CRAWFORD TO ARMSTRONG.^d

 JONES TO DAVENPORT AND TO LOOMIS.^e

 EVE TO WEBSTER.^f

 SPENCER TO VAN ZANDT.^g

 SPENCER TO WEBSTER.^h

 WEBSTER TO VAN ZANDT.ⁱ

^a A. I. S., January 11, 1843. For the letter and accompanying transcript, see Calendar of Correspondence with the United States in Part I. The postscript, which has not hitherto been printed, is given here.

^b See Armstrong to Crawford, November 4, 1842, in Calendar of Correspondence with the United States in Part I.

^c January 12, 1843. See Calendar of Correspondence with the United States in Part I.

^d January 12, 1843. See Van Zandt to Jones, January 20, 1843.

^e January 13, 1843. See Van Zandt to Jones, January 20, 1843.

^f January 15, 1843. See Calendar of Correspondence with the United States in Part I.

^g January 17, 1843. See Van Zandt to Jones, January 20, 1843.

^h January 17, 1843. See Van Zandt to Jones, January 25, 1843.

ⁱ [January 20, 1843.] See Van Zandt to Jones, January 25, 1843.

STIPULATIONS FOR TREATY WITH TEXAS INDIANS.^aVAN ZANDT TO JONES.^b

Dispatch No. 95

LEGATION OF TEXAS

*Washington City**Jan'y 20th. 1843*

HON ANSON JONES,
*Secretary of State of the
 Republic of Texas*

SIR

In a former dispatch which I made to your department you were informed that I had laid before the Government of the United States the information, which I had received from your department, relative to a youth named — Lyons, who had been captured in the county of Fayette, and now supposed to be among the Osage Indians.^c I have now the honor to transmit to your department the measures taken by this Government to procure the restoration of the youth to his friends and country by submitting a copy of the note recd. from the War department together with copies of instructions sent from the proper offices of that department, which are as follows—

“WAR DEPARTMENT *Jan'y 17th. 1843*

SIR

I respectfully transmit herewith copies of instructions that have been given from this department, in relation to the reclaiming from the Osage indians the Texian white boy refered to in your communication to the Secretary of State, a copy of which was transmitted by him to this Department.

With great respect Your Obt. Servt

J. C. SPENCER”

HON ISAAC VAN ZANDT
*Chargé d'affaires of the
 Republic of Texas, Washington [City].”*

WAR DEPARTMENT, OFFICE
 INDIAN AFFAIRES *Jan'y 12th. 1843*

SIR

Information having been communicated to the State Department by the Chargé d'Affaires of Texas that his Government had been

^a See Van Zandt to Jones, January 20, 1843.

^b L. S.

^c Cf. Van Zandt to Webster, December 30, 1842, in Calendar of Correspondence with the United States, in Part I.

informed by a gentleman residing among the Osage indians west of the State of Missouri that a youth some twelve years of age who had been captured by indians in the county of Fayette Texas named —— Lyons is now among the Osage indians and within the limits of the United States, I am requested by the Secretary of War to instruct you to inquire for the captive lad above mentioned and to obtain his release, and when released to place him in charge of the commandant of Fort Gibson or Fort Towson, to be kept until called for by an agent of the Texian Government.

You will therefore please to give the necessary instructions to the subagent of the Osages, with as little delay as practicable and urge his immediate and diligent attention to the release of young Lyons and to the further instructions contained herein.

Very respectfully etc

T. HARTLEY CRAWFORD

Maj Wm. ARMSTRONG, *acting*
Superintendent etc, Choctaw Agency
West of Arkansas.

“ADJUTANT GENERALS OFFICE

Washington [City] Jany 13th. 1843

SIR—It has been represented to the Secretary of State by the Chargé d' Affaires of the Republic of Texas that a youth some twelve years of age who was captured by the hostile indians in Fayette county Texas named —— Lyons is now within the limits of the United States, among the Osage indians.

Instructions have been given by the Commissioner of Indian affairs to the proper agent to obtain the release of the boy and to deliver him to the commanding officer of Fort Gibson or Fort Towson. If the captive be brought to your post, you will take charge of him until called for by an agent of the Texian Government and report the fact to this office.

I am sir very respectfully Yr Obt Servt

R. JONES
Adjutant Genl.”

Col. W DAVENPORT *6th. infy comg*
Fort Gibson.
 Lieut Col. G LOOMIS *6th. infy comg*
Fort Towson”

In order to carry out the measures adopted by the Government of the United States for the restoration of the youth, it will be proper to appoint some person at as early a day as possible, to act as the agent of the Government of Texas at Fort Gibson or Fort Towson

In a conversation which I had with the Secretary of War, upon this subject, he informed me that during the last summer he had communicated to Major Reily information, which had been recd. by the War Department, of the release of two boys who had been purchased from the Commanches in the west of Arkansas, at the instance of the indian agents in that quarter, and who had been captured by the indians in Texas. The Secretary also informed me that a description of the youths had been furnished to Maj Reily, that the same might be communicated to the Texian Government. He further informed me that these youths were under the charge of the United States authorities, and that he was very anxious that measures should be taken by my Government to receive them. He also informed me that two hundred dollars had been paid for each of these boys, and that it would be expected, that the Government of Texas would refund that amount, besides the ordinary expenses of transmission and maintenance. If this matter has not yet received the attention of your Department, I hope that it will meet your early consideration and action.

In my communication to the Department of State of the United States I informed that Department that I was authorized to draw upon the Government of Texas for the ordinary fees (only) of subsistence and transmission of the captive boy —— Lyons. In a conversation with Mr. Spencer Secretary of War upon this subject he informed me that they had invariably paid to the Indians, various amounts as purchase money which it was expected the Government of Texas would refund, and desired to know of me if I was authorized to draw for such sums so paid: I replied that I was not; that I conceived such a policy was calculated to stimulate the indians to make captives, instead of repressing their aggressions, but that this matter should be laid before my Government, and that I entertained the opinion that so far as money had been expended, by the United States, in good faith, the same would be refunded: while, I was satisfied that Texas would deprecate the establishment of such a policy. I desire the instructions of your Department upon this subject, and hope to receive them at as early a day as possible.

In my last dispatch you were informed that the United States Government would forward instructions to a proper commissioner, who should repair immediately to the Waco Village to join at the earliest day possible the proposed Indian Council, which is to meet at that place. I have now the pleasure of informing you that the instructions have been dispatched to Pierce M Butler Esq their Indian agent in the West of Arkansas, who is duly authorized to represent the Government of the United States, in that council. His instructions are not such as I conceived the most desirable for the interest of Texas, but yet, I hope if carried

into effect will prove beneficial to Texas. I desired that the Commissioner might be authorized to conclude a treaty in the nature of an alliance, or upon such terms, as that the United States might become a guarantee for the fulfillment and observance of the stipulations concluded between the Indians and Texas. These several matters were submitted and discussed in the Cabinet meeting and dissented from by the Government. The objections urged were, that it was contrary to the policy of the United States to form alliances of such character with any power, and that such a provision would hazard the ratification of the treaty by the Senate of the United States. I herewith transmit you a copy of stipulations which are to govern the United States Commissioner—they are based upon the supposition that a treaty is first concluded between Texas and the Indian tribes, to which the United States is a witness, and at the conclusion of this treaty the United States, Texas and the Indians agree to these stipulations, the first of which is not reciprocal in its character, and which I informed the Secretary of War, I thought would not be agreed to by Texas, but he desired that the same might be submitted to my Government, for its consideration, while Mr Butler would be directed not to insist upon its adoption, unless desired by the Govt of Texas. Should it be objected to, he is authorized to agree to the subsequent stipulations, and omit the first. The preamble and stipulations are as follows,

“Whereas, there are sundry tribes of Indians inhabiting the country in and about Red river, which constitutes the boundary line between the United States of America and the Republic of Texas, who are migratory and are sometimes found within the territories of one Government, and at other times in the territory of the other making each in time an asylum and shelter from pursuit, and whereas with a view to establish peace with the said Indians and to secure the inhabitants of Texas from the incursions and depredations to which they are exposed, the Government of that country has invited a number of the said tribes to meet in council commissioners on the part of Texas, and has also requested the Government of the United States to be represented at such council, and whereas in pursuance of such invitation Delegates and Chiefs from the following tribes have assembled at the village of Waco on the Brazos river, namely, Comanches etc etc, and certain articles of a treaty of peace and friendship between the people of Texas and the said tribes have been agreed to and concluded.

The United States of America being desirous to promote peace on their own borders, and to render all the aid which common interest may require to prevent depredations upon the persons and property of their own citizens as well as the inhabitants of Texas, have been

represented at the conclusion of said treaty by their commissioner for that purpose, Peirce M. Butler Esq, their Indian Agent for the Cherokees, who in their behalf has witnessed the execution of the said treaty. Now it is hereby stipulated and agreed by and between the said United States of the first part, the Republic of Texas of the second part and the Chiefs Braves and Warriors of the said tribes of indians of the third part as follows.

First.

That the Indians of the several tribes represented by the Chiefs, Braves, and Warriors who signed this treaty will not commit any depredations on the property or any injuries to the persons of any whites, Indians, or others living within the jurisdiction of the United States and entitled to their protection, and that if any property is wrongfully taken from the territory of the United States, or any persons entitled to their protection are captured by the said indians, or any of them, they will on demand restore such captives and such property or will pay the full value of such property, and that upon neglect or refusal to comply with this agreement the United States by their officers agents and soldiers may pursue such property and captives and retake them by force of arms, although they may happen to be within the territorial limits of the Republic of Texas.

Second.

In case any of the said Indians shall bring into the territory of the United States any property or persons wrongfully taken, within the limits of Texas, the United States engage to render all the aid in their power for the return of such property and captives, and for the seizure of the offenders who may have brought them within the territory of the United States, and they will deliver up to the authorized agents of Texas such property and captives and the offenders so seized, if such offenders usually inhabit within the limits of Texas, and if they usually inhabit within the limits of the United States, then, the United States will cause them to be proceeded against and punished in the manner provided by their laws; the Government of Texas furnishing proof of the facts that may have taken place within its jurisdiction.

Third. In like manner the Government of Texas engages to render all the aid in its power for the recovery and return of any property or persons that may have been wrongfully taken by the said Indians, or any of them from the territories of the United States, and carried into the dominions of Texas, and will cause the persons and property so captured to be delivered to the authorized agents of the United States, and will cause the offenders to be seized and delivered up to such agents, if such offenders usually reside within the limits of the United States, but if they usually reside within the boundaries of

Texas, then the Government of Texas will cause them to be proceeded against and punished in the manner provided by their laws; the United States furnishing proof of the facts that may have occurred within their limits.

(Conclusion of stipulations)

Should the proposed treaty be concluded, and any of the tribes that become parties to the same be Indians of the United States, alone, it will be necessary to guard against that portion of the preamble, which sets forth that these tribes are migratory in their character, and by which the United States might obtain an acknowledgment upon the part of Texas, that these Indians were not of the character which the United States were already bound to restrain. And here permit me to call your attention to a fact, which has presented itself to my mind, which seems to be unknown to the Secretary of State, or if known seems to be wholly disregarded by his department. It is important that I should know the views of my Government in relation to it. I allude to the fact, whether the treaty between Mexico and the United States, or any part of the same, is held to be binding upon Texas, or upon the United States so far as the same may have related to Texas. By the 34th article of that treaty I mean the treaty of 1831, it is provided after eight years from its ratification the same may be terminated by either party giving notice to the other of its intention so to do, after twelve months from the date of said notice. From the instructions of Mr. Mayfield late Secretary of State of Texas to Mr. Bee, with the communication from Mr. Amory Secretary of Legation, who wrote in the absence of Mr. Bee, to Mr. Webster Secretary of State of the United States, which communication is dated the 19th. of May A D 1841, I learn the facts which have induced me to believe that, that treaty has ceased to exist except the provision of amity. I submit the following extracts which have induced this conclusion.

[Here follows an extract from Mayfield to Bee, April 20, 1841,^a beginning with the words, "I am directed", and ending with the words "to the 34th. article of the treaty"; and one from Amory to Webster, May 19, 1841,^b beginning with the words, "the undersigned is instructed", and ending with the words, "article 34 of said treaty".]

I hope to hear from your department the views of Government in relation to this subject.

I have at length succeeded, three days ago, in obtaining a copy of the treaty now pending before the Senate. Some of its main provisions I fear are in jeopardy. I allude to the 4th. and 5th. articles. At the suggestion of Mr. Archer I have hastily drawn up unofficially,

^a See Correspondence with the United States, Additional letters, above.

^b See Correspondence with the United States, Part I.

for the committee on Foreign relations, of which he is chairman, some of the leading arguments which I conceived most likely to present the treaty in a fair light before the Senate and impress that body with the importance of its ratification. The communication is somewhat lengthy which prevents my sending you a copy. I endeavored to impress the committee with the opinion that if these leading features were rejected the fragments would not be worth preserving. The late internal difficulties in Texas, and the dissensions among ourselves I regret to say have added much strength to the opposition which is arrayed against this treaty, and I have no doubt have caused much of the timidity and reluctance manifested by the United States in the formation of an alliance or triplicate treaty with the Indians for our mutual protection as before alluded to, while it has induced the public mind to rely with less confidence in the Institutions of our country. If those individuals, who scatter the seeds of discord, knew their baleful effects upon our interests abroad, I feel confident that they would sacrifice their motives of personal ambition upon the altar of their common country, and unite with a single purpose under the Single Star for the welfare of the whole nation. The old United States Bank, and some of its agents, who are in possession of certain Texian bonds, which were purchased by them, are making a heavy effort against the ratification of any treaty. I have collected all the important facts in relation to these matters, and placed them in possession of Senators, who are willing to act upon such matters as concern the mutual welfare of both nations in a proper and unprejudiced light.

In my last dispatch I said to your Department that in the course of a day or two I would write further upon the subject of the interposition of this Government. Since the date of that communication, I have had frequent conversations with the President and Secretary of State upon this subject, which were principally of a strictly confidential character, in regard to which, I am only permitted to say that this Government, influenced by the most laudable desire to restore peace between Mexico and Texas, will not fail to use every means within its power, consistent with its honor and high standing as a nation, to bring about this desirable result. And here permit me to direct your attention to the importance of withholding from the public eye, so much of my dispatch No. 93 as relates to this subject.

It is important, as I conceive, for the interest of Texas that she should settle down upon some policy to which she will strictly adhere, as far as circumstances will permit, during the pendency of hostilities with Mexico. We should determine to act exclusively upon the defensive, or determine upon the more vigorous course of making war upon Mexico by all the means which we could bring to our aid.

Had the Government persevered in confining its operations at home, I am satisfied that the measures, taken to arrest the predatory warfare that had been carried on upon our borders, would have proved entirely successful, and that, in future we should have had nothing to dread but a formidable invasion of such a character as would have been likely to test by a trial at arms the comparative strength of the two nations. Such an invasion, however, might have been delayed by the revolutionary movements in Mexico, and the hostilities now going on between that country and Yucatán, while such delay, with the attendant uncertainty which would hang over our affairs, might have continued to retard our advancement, and consequent prosperity that must exist upon the restoration of peace and the termination of our difficulties. The Government, however, having given its sanction to the partial invasion of the Mexican territory, with a view of retaliating for the many injuries which Mexico has inflicted upon us, must stand justified in the sight of every impartial mind, though this change of policy will materially affect the measures which the United States would have conceived herself justifiable in taking while our operations were confined at home. Having commenced offensive operations, (though necessary to our defence,) the whole powers of the Government should be united in their prosecution. I think the war, (and my opinion meets with the unanimous concurrence for their [*sic*] is scarcely a dissenting voice to be found of all the intelligent men with whom I have conversed since it was positively known that Genl. Sommerville^a had gone to the Rio Grande,) should be prosecuted not only with vigor but the greatest severity, and that Mexico should be made to feel the effects of that vengeance which has long been restrained; and that interest and safety may prompt her to the acknowledgment of that which her disregard of right and justice has withheld.

I am still without information respecting the movements of the army, and await with great anxiety the receipt of intelligence concerning them.

The intelligence which has recently reached here, of the movements of Commodore Jones of the American squadron on the coast of California, in taking possession of Monterey a Mexican town near that coast, has created some sensation and various surmises are afloat of its probable effects upon the relations of the two countries. In a conversation which I had two days since, with a diplomatic functionary, who is on terms of great intimacy with Genl. Almonte Mexican Minister, the opinion was expressed by that gentleman in the conversation alluded to, that the Mexican Government would likely withhold a portion of the indemnities, which she has lately agreed to pay to the United States in order to indemnify herself for the dam-

^a Somervell.

ages sustained by the taking possession of California by Commodore Jones. *Something may grow out of this.*^a

The last accounts from Mexico State that the Congress had dispersed and that the revolution had thus far progressed without bloodshed, and that Santa Anna had every prospect of success.

Through the medium of a gentleman of high standing, who resided many years in the City of Mexico and who is on the most intimate terms with Genl. Almonte, I have been endeavouring to learn the views and policy of the Mexican Government towards Texas, and the prospects, if any, of a settlement of our difficulties. This gentleman has had two or three conversations with Genl. Almonte, in which the latter spoke freely of our relations. As this gentleman is yet prosecuting this matter, and as nothing definite has yet been learned, I will reserve this subject for a future communication.

Trusting that I shall soon have the pleasure of hearing from your Department I have the honor to be with the highest sentiments of regard

Your Obedient Servant

ISAAC VAN ZANDT

JONES TO VAN ZANDT.^b

[Relative to the way in which the war with Texas is carried on by Mexico.]

VAN ZANDT TO WEBSTER.^c

WAPLES TO EVE.^d

VAN ZANDT TO JONES.^e

Despatch No. 96

LEGATION OF TEXAS

Washington City Jan'y 25th. 1843

To

Honorable

ANSON JONES

Secretary of State

SIR

I have the honor to acknowledge the receipt two days since of your despatches of the 25th. 26th. 28th. and 30th. ultimo. The several matters embraced in all which have received my prompt attention.

^a See *House Exec. Docs.*, 27th Cong., 3d Sess., V (Serial No. 422), 166; Webster, *Works*, VI, pp. 400-462.

^b January 23, 1843. This letter is not in the archives; but the same letter, *mutatis mutandis*, was sent to Ashbel Smith, for which see Correspondence with Great Britain.

^c January 24, 1843. See Van Zandt to Jones, January 25, 1843.

^d January 25, 1843. See Calendar of Correspondence with the United States in Part I.

^e L. S.

Your instructions in a former despatch, and repeated again in your dispatch of the 25th. ultimo, with regard to the appointment of a commissioner to represent the United States at the proposed Indian Council, which is to meet at the Waco Village on the Brazos river, has sometime since received my attention and you were informed in my dispatch No. 95 of the success of my efforts.

So soon as your last despatches were received, I immediately called upon the President and Secretary of State of the United States, and laid before them the intelligence, in relation to the course intended to be pursued by the British and French Governments, upon the subject of mediation, and expressed to them the desires of my Government, that the United States should give the necessary instructions to her minister in Mexico, that a concert of action might be had on the part of these three great powers. The President and Secretary of State both expressed the greatest desire to do all in their power to further the proposed object, repeating at the same time, the facts, which they had before communicated to me, that their minister in Mexico had been instructed, sometime since, to offer to that Government the mediation of his Government in the settlement of the difficulties between Texas and Mexico. Mr. Webster also assured me, that the additional information which I had communicated to him should be immediately transmitted to Mr. Thompson, their minister, renewing at the same time, and urging his attention to the former instructions which had been given him upon this subject. I then told Mr. Webster that I would immediately address him a formal communication upon this subject, which promise I have complied with this morning,^a a copy of which you will find hereto annexed. You will discover in this communication to Mr. Webster, that I did not confine myself exclusively to the points embraced in your instructions, but have alluded briefly to the campaign across the Rio Grande under the command of Genl. Sommerville. I did this upon consultation with Mr. Webster, who promised to send a copy of my communication to Mr. Thompson, that he might show the same to the Mexican Government, should he deem it necessary, and from which he might show that we were driven to such course from motives of self defence, and a desire of peace, and not the acquisition of territory, or a desire to inflict unnecessary evils upon the Mexican people.

From facts which [have] come to my knowledge, I deemed it proper and necessary to make known both to the President and Secretary of State here the fact that General Hamilton was neither directly or indirectly recognized by the Government of Texas, as its agent to transact or negotiate, either treaties, or business of any character, which concerned my Government, nor would the services of that gentleman be employed, by the Executive in any such capacity.

^a The date of the letter to Webster as printed was January 24; "this morning" was apparently the 25th.

These facts I informed the President and Secretary of State were founded upon the instructions from your department.^a

I have lately received a communication from the War department through the Secretary of State of the United States informing me of the measures taken by that Government to interdict the trade between the whites and half breeds of the United States and the Indians of Texas, a copy of which communication you will find herewith enclosed. You will perceive in this communication, that the Secretary alludes to complaints which have been made by the Choctaw Indians against the Citizens of Texas residing upon the border: I am gratified to receive Mr. Benton's letter upon this subject, as it will afford me an opportunity, of showing to the Secretary of War that there are two sides to this case, and that our citizens, if to blame at all, are not alone in the wrong. A copy of Mr Bentons letter will be enclosed to the Department as soon as I have time to write the necessary communication.^b

Since my last dispatch, I have continued to urge the adoption of the treaty lately concluded here, and though I have had to combat, not only, the prejudices arising from our disorganized condition at home, but also the great opposition which arose here, from various sources, and to which I alluded in my former dispatches, I have now the pleasure to inform you, that, I think there is every prospect of a speedy and favorable action upon it by the Senate. I have just had a conversation with Mr. Archer, Chairman of the Committee on Foreign Relations, who expressed to me his entire satisfaction, and promised to make a report on tomorrow morning. The amendment which the President desired to be made, I think I shall be enabled to have effected, though upon this, I could obtain no satisfactory answer, as the Senators with whom I have conversed gave no definite opinion in relation to it.

I learn from Mr. Archer that a communication has been made to the Committee on Foreign Relations of the Senate by the holders of Texas liabilities. The purport of this communication I was unable to learn. Mr. Archer informed me however, that the communication had been returned.

The gratifying intelligence has reached here, both from Galveston and Matamoras, that Genl. Somerville is operating with some effect upon the Rio Grande. I regretted to learn that some of his troops had refused to submit to his orders, and had returned from Laredo. The promptness and determination, which characterized the action, of Genl. Sommerville upon the occasion, has had a salutary influence here upon the public mind. I repeat again the opinion, which I

^a Cf. Jones to Van Zandt, December 25, 1842, in Part I.

^b Cf. Jones to Van Zandt, December 30, 1842; Van Zandt to Webster, February 3, 1843 in Calendar of Correspondence with the United States in Part I.

expressed in my last despatch, (and this view is fully concurred in by the friends of Texas who occupy exalted stations in this country but whose names I am not permitted to give) that every effort should be made by the Government, to sustain this movement of our troops: the greater the effect that is produced, and the more formidable the demonstration that is made, the stronger will be the arguments, which may be used by the powers mutually friendly, why peace should be restored between the two countries.

Mr. Webster informed me in a conversation had with him, two days since, in relation to the interposition which had been formally invoked, by my Government, that so soon, as the result of the expedition to Yucatan was made known, it was the determination of his Government, to make a representation to the Mexican Government upon this subject, in which his Government should be inclined to remonstrate in *strong* language, and that a copy of such communication, when made, should be immediately forwarded to the French and British Governments.

I have the honor to be with high respect
Your Obedient Servant

ISAAC VAN ZANDT

P. S. Please remember me to the President and his good Lady.

[Inclosed are copies of the following: ^a Van Zandt to Webster, January 24, 1843; Webster to Van Zandt, January 20, 1843; Spencer to Webster, January 17, 1843.]

EVE TO JONES.^b

LEGATION OF THE UNITED STATES
Galveston January 26th. 1843

The Honble.

ANSON JONES
Secretary of State of Texas

SIR

I have the honor to acknowledge the receipt of your note of the 12th. Instant^c with the enclosed Exequatur for Mr. Smith as Consul of the United States for the Port of Matagorda.

I have recently received a letter from M. E. Hale Esquire managing owner of the Brig Retrieve with an enclosed Duplicate account of charges, for detention, damages, and expenses of that vessel, incurred

^a See Calendar of Correspondence with the United States in Part I.

^b A. I. S.

^c This note has not been found.

in consequence of its seizure by order of the President of Texas. A copy of which I herewith transmit to you

By an examination of the account you will discover that the owners claim (as an indemnification for the loss which they contend that they have sustained) the sum of (\$5,042.50/100) five thousand forty two dollars and fifty cents

In all my correspondence (both oral and written) with this government upon the subject of this claim I have been influenced by a sincere and ardent desire that it should be adjusted in such a way, as to give entire satisfaction to all the parties concerned

In pursuance of that desire and not having then been informed of the extent of the injury which the owners of the *Retrieve* have sustained, I proposed in my note to you of the 30th. of December last to take eleven hundred dollars in discharge of all claims against the Government of Texas on account of the *Retrieve* provided the appropriation was made and the amount paid over, but should this proposition not be accepted and the amount of Damages be left to future investigation the proposition was not to be considered as binding upon Captain Means.

When Captain Means left Galveston he was not apprised of the extent of the injury which his vessel had sustained while in the service of Texas; he was by agreement to have sent me from Mobile the amount of injury so soon as the repairs were made. The first intimation which I have received as to the extent of the damages is Mr. Hales letter.

I have not been informed whither any appropriation has been made at the late session of Congress to discharge this claim, and now ask for the information and if made how much, and when I may expect that it will be paid

With sentiments of high regard and Respect

I have the honor to be

Your obedient servant

JOSEPH EVE

(Copy.)

NEWBURYPORT December 27th 1842

Honble. JOSEPH EVE

Charge d' Affaires of the U. S.

Republic of Texas

DR SIR

Upon receipt of the documents from the late Capt. Thomas Means relative to the seizure of the Brig *Retrieve* by the authorities of Texas, while at Galveston, I lost no time in laying the matter before the

Executive at Washington and have been informed by the Secretary of State, that that Department had been previously made acquainted with the subject through you, and that a correspondence had taken place with the Texan Government.

The claim as made up by Capt. Means, and forwarded you from Mobile, amounting to three thousand nine hundred forty two 50/100 dollars, does not embrace all the charges which the owners of the *Retrieve* believe the Texan Government ought justly to allow, and in their account accompanying their Memorial to the Executive they have made such additional charges as seems to them correct, and thinking that you may not have been put in possession of these additional items, beg leave to lay before you a duplicate of the account forwarded to the Department of State at Washington.

In proof of the charge for additional time amounting to eight hundred dollars, I beg to state that the time of the detention of the vessel for repairs is only computed from the 23d July to the 10th. August, Whereas it should have been 32 days more up to the 11th. of September, that being the day when the repairs were completed as appears by Port Wardens survey held at Mobile.

The charge for additional time is proper and reasonable because the vessel was unemployed during said period and the delay and loss were the direct consequences of the seizure.

The owners of the *Retrieve* have not received on account of this loss any compensation either by insurance or otherwise.

I would further state that although the accompanying account is made up from the documents and proofs which have been received, yet the amount falls far short of the whole extent of their loss.

And in consequence of this unlawful and unjustifiable proceeding on the part of the Texan Government not only have the owners suffered severely a heavy pecuniary loss; but it was without doubt the cause of the decease of Capt. Means at Mobile.

The owners therefore rely upon the Government of their Country for protection, and respectfully request that such measures may be taken to afford them relief, and compensate them for their loss, as to the proper authorities of the Government shall seem best.

An acknowledgment of the receipt of this is respectfully requested, and any information as to the progress of adjustment of this matter will be gratefully received.

I have the honor to be

Dr. Sir your Obt. Svt.

(signed) M. E. HALE
Managing owner of Brig Retrieve