

VAN ZANDT TO JONES.<sup>a</sup>

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ROBERTSON TO JONES.<sup>b</sup>

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LOOMIS TO BLISS.<sup>c</sup>

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VAN ZANDT TO JONES.<sup>d</sup>

Dispatch }  
No. 100. }

LEGATION OF TEXAS  
WASHINGTON CITY

April 21st. 1843

HON ANSON JONES

*Secy of State*

SIR: I have just returned from a visit to the State Department, where I had an interview with Mr. Secretary Webster. I now submit you the substance of conversation between us. Mr. Webster inquired whether I knew what answer was, or would be given to the propositions of Santa Anna. I replied I did not, but was of opinion they would not be entertained for a moment. Or if entertained at all, it would be merely for the purpose of submitting a counter proposition for peace, upon terms of the acknowledgment of our independence. Mr. Webster then remarked, that, if we intended to maintain our nationality, we should at once reject such a proposition. He then asked me various questions in relation to my views and opinions of the probable result of the campaign and cruise against Yucatan; In answering which I endeavored to impress him with the opinion that the Mexican fleet and forces would be compelled to retire, without accomplishing any important result. This is a matter which has been frequently discussed between Mr. Webster and myself; he has always expressed the opinion that the favorable or unfavorable termination of that Campaign would determine the ability or inability of Mexico to re-invade Texas.

At this stage of the conversation, I introduced the subject of my last communication to his Department in relation to our affairs with Mexico. I asked him if he had taken time to consider that communication; he replied he had; I then asked him if he had formed any conclusion upon the matters and things embraced in it. His reply was in about these words, "Sir; your affairs assume so many different *phases* that it is impossible one day to tell what will be the appearance on the next. If your Government would take the advice of its friends, to remain at home, unite among yourselves, confine your

<sup>a</sup> April 19, 1843. See Calendar of Correspondence with the United States in Part I.

<sup>b</sup> April 20, 1843. See Jones to Van Zandt, May 9, 1843.

<sup>c</sup> April 20, 1843. See Van Zandt to Jones, August 16, 1844.

<sup>d</sup> L. S.

soldiers to your own territory, and to the defence of your own soil, suppress insubordination, prevent marauding parties upon the frontier and consolidate your energies, then Sir, we might be able to do something effective." I replied to this that such was the avowed policy of the administration at the head of affairs of my Government, and to which it was disposed to adhere, and this I thought must be sufficiently demonstrated in my communication addressed to him. Mr. Webster replied, "that Sir, perhaps is true, so far as the officers of Government are concerned, but what avails the disposition of Officers, who cannot execute their purposes, or what is a Government which cannot enforce its orders; it is the business of Government to govern its citizens, and, when it ceases to be able to do that, it argues that there is not much Government in force".

I said in reply, to this, that I was of opinion from all I could learn from home, that there was an evident change in public feeling in this respect; that every thing seemed quiet. Any dissensions that might have existed, I thought had, or would soon disappear, and in future I hoped we should be united; that these were but momentary, and could not be of long duration. He then continued thus, "So soon as we ascertain what disposition your Government shall make of Santa Anna's proposition, we shall then determine what course we will take, but, during the pendency of these questions, or a negotiation between Texas and Mexico, we should feel ourselves awkwardly situated to attempt an interference. If those propositions are at once disposed of, and you continue to persevere in your avowed policy, we shall think it proper to make a communication to Mexico on the subject, and say to her, *She must terminate the war at once either by treaty or by arms*; and address a copy of the same to France and England."

These are the most important items of our conversation during the interview. They at once suspend matters here, until I hear from your department. Should I obtain the desired intelligence, Mr. Webster may take the step pointed out; but it is impossible to speak with certainty upon the subject. I have so often thought I was on the eve of accomplishing it when something would immediately intervene to prevent it, that I will not permit myself to calculate positively on any event which is yet in the womb of futurity. \*The next news from Texas may present some new *phase*, in that case, all the ground is to be gone over again.

You will learn from this conversation something of the state of feeling here in relation to our affairs. Mr. Webster in his remarks, but reiterates the general sentiment.

I look with much anxiety to hear the course of our people. Situated as I am at such a distance, it is impossible for me always to know the true state of things at home, and to judge of the truth or falsehood of all I hear. If it be true, that there are some few individuals,

of ambitious and licentious views whom the authorities are unable to over-awe, and who continually sow the seeds of discord among the people, and by such a course should be enabled to poison their minds, and create factions, which cannot be suppressed, calamities of long duration must eventually ensue. I feel every confidence that the people, if left to themselves, will do right.

An observance of the laws, alone, can secure the lives, the property, the liberty, and character of citizens—if these are scorned; what is ever to be respected? Or where is the hope of the Republic?

Col. Daingerfield came over to day from Alexandria, and has returned back after staying a short time, he seems very anxious to get off to Europe—he is detained by his indispensable private arrangements—he expects to leave by the packet of the 1st. of May.

I have the honor to be with great respect and consideration

Your friend and Obt. Servt.

ISAAC VAN ZANDT

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MITCHELL TO PORTER.<sup>a</sup>

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JONES TO EVE.

(Copy)

DEPARTMENT OF STATE

Washington [Texas] April 22d 1843

SIR

I have the honor to acknowledge the receipt of your note of the 13th Inst informing me that you had been instructed by your Government to seek an early interview with the Secretary of State of Texas etc, but that you were unable at the present time to visit Washington on account of indisposition and that you wished me to visit you at Galveston, where we might have a full and free oral interchange of opinions upon the subject embraced in your communication and of so much consequence to the character and good standing of Texas.

Regretting as I do most sincerely your continued illness it affords me satisfaction to be able to comply with your wishes in respect to visiting you at Galveston, for which place I will leave in the course of the ensuing week. I hope to be with you as early as the 5th proximo at farthest, when I trust to have the pleasure of a personal interview, and interchange of opinion with you.

I have the honor to be with the highest consideration

Your very obt Svt

(signed)

ANSON JONES

Hon. J. EVE

*Chargé d'Affaires of the U. S.*

*etc etc etc.*

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<sup>a</sup> April 21, 1843. See Raymond to Jones, May 12, 1843.

JONES TO EVE.<sup>a</sup>

[Acknowledging Eve's request for *exequaturs* for Morgan L. Smith, United States consul at Velasco, and Stewart Newell, United States consul at Sabine and such other ports as should be placed in his charge.]

JONES TO EVE.<sup>b</sup>EVE TO JONES.<sup>c</sup>

LEGATION OF THE UNITED STATES

*Galveston April 28th 1843*

The Honble.

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

SIR

I herewith transmit you a copy of a letter from Reubin M. Potter Esquire, Collector of customs at Velasco, To A. M. Green Esquire United States Consul at Galveston, in reply to one from Mr. Green requ[er]ing him to send the Register (to this Consulate) of a United States vessel, which the Captain said he had deposited with the collector at Velasco.

Also a copy of a letter from Mr. Green to this Legation upon this subject; In order to avoid many difficulties which under any other rule are liable to arise between the United States Consuls in Texas, and the masters of United States vessels, and difficulties which will arise between the Masters and Crew, as well, as to avoid an undue advantage which it gives vessels over other vessels from the United States by indulging the Masters to hold at the same time a coasting license and a United States Register.

I therefore respectfully suggest the propriety, of instructing the receivers of the Customs at the different Ports, not to grant coasting license to the Masters of United States vessels unless they file with the Collector a certificate from the Consul for that district, that they have filed with him their United States register. Such I am informed has been the rule observed by the receiver of the Customs at this port

With renewed assurances

of my continued regard

I am your Obedient Servant

JOSEPH EVE

<sup>a</sup> April 22, 1843.<sup>b</sup> April 23, 1843. See Calendar of Correspondence with the United States in Part I.<sup>c</sup> A. L. S.

(Copy.)

## CUSTOM HOUSE PORT OF VELASCO

*10th. of March 1843*

To A. M. GREEN Esqr  
*U. S. Consul*  
*Galveston*

SIR

Your favour of the 10th of Febr. was duly received.

I am of opinion that when a foreign vessels register is tempora[r]ily deposited with the collector of Customs of this Republic conformably with the act of January 4th 1841 the collector is not bound to transfer the deposite to a consul residing in another collectoral District

Respectfully your Obt Sevt

(Signed)

REUBIN M. POTTER,  
*Collector.*

(Copy.)

## CONSULATE OF THE U. S. OF AMERICA

GALVESTON REPUBLIC OF TEXAS

*17th March 1843*

SIR

I find that many vessels sailing under the American flag and having American papers have applied to the Collectors of the Customs in the several ports in the Republic of Texas, for coasting license and have received them.

The masters of vessels should invariably make a deposite of his Register with the American Consul, and receive a certificate from him that such surrender has been made. Then and not till then should coasting license be granted to any American vessel by this Government.

This rule which to me would seem right, has not been adhered to. I have found masters of American vessels in possession of two sets of papers, and as they preferred to retain their coasting license, I have deprived them of the Register.

Finding American vessels with two sets of papers a coasting license and Register induced me to enquire how many and what vessels had applied for and obtained license to carry on the coasting trade, and the 10th. of February I addressed a letter to the collector of the Customs for the port of Velasco, and requested him to send me the Register of an American vessel which the Captain said he had deposited with the collector at Velasco, and requested also the collector at Velasco to advise me of the names of the American vessels he had granted license to in order To carry on the coasting trade. I received for answer, a note under date the 10th. Inst. a copy of which I herewith enclose.

You will see at once how improper it is to grant coasting license to American vessels, without keeping the American Consul advised of the fact, and as I have before said whilst the vessel is in possession of her register.

The American Consul is the proper person to have in possession the Registers of all vessels sailing under the American flag and not the collector.

If I thought proper I could appoint an agent at Velasco, and certainly if I have the right or authority to appoint an agent to receive the papers of American vessels I have the right to demand them of the collector.

I am Sir,

Most Respectfully

Your Obt. Servt.

(signed) A. M. GREEN

The Honbl.

J. EVE

*Charge d' Affaires of  
the U. S. to Texas.*

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PETITION OF BOURLAND.<sup>a</sup>

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BENTON TO JONES.<sup>b</sup>

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EVE TO JONES.<sup>c</sup>

[Jones's two letters of April 22, and his letter of April 23 have been received.]

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VAN ZANDT TO JONES.<sup>d</sup>

Dispatch No. 101

LEGATION OF TEXAS

WASHINGTON CITY

*May 3rd. 1843*

Hon ANSON JONES

*Secty of State.* SIR: Since my last dispatch nothing of importance has taken place in our affairs here. Mr Webster still continues in the State Department but will undoubtedly retire in a short time. It seems that all former conjectures as to his successor have proved false

<sup>a</sup> Undated. Probably written about May 1, 1843. See Jones to Van Zandt, June 1, 1843.

<sup>b</sup> May 1, 1843. See Jones to Van Zandt, June 1, 1843.

<sup>c</sup> A. L. S., May 3, 1843.

<sup>d</sup> L. S.

and it is now understood by all that Mr. Legare the present Atty Genl. is to be appointed, though it is also understood that the same will be only temporary.

The President will leave in a few days for Virginia. Mr. Upshur for the same quarter and Mr. Webster to Boston and not having heard any thing from you which would prevent me, I have concluded the present a favorable time to go after my family and shall accordingly start tomorrow morning. I shall return so soon as I can obtain means to bring me back. I had hoped to be able to hear something from you upon this subject, but not having done so I have thought no injury would result to the country by the step. I therefore hope the same may meet your approbation. Mr. Raymond will remain here, and will advise me of any commands from your Department, which shall be immediately attended to. His promptness in discharging his duties has caused me to take this step with less reluctance.

Col Daingerfield is in Baltimore, He writes me to day that he will probably sail about the 15th. Inst The last dates received from your Department are of 16th. February.

I have the honor to be with high regard your friend and Obt. Servt  
ISAAC VAN ZANDT.

BOURLAND TO SECRETARY OF TREASURY OF TEXAS [SHAW].<sup>a</sup>

HOUSTON TO EVE.<sup>b</sup>

EXECUTIVE DEPARTMENT,  
Washington [Texas], May 6th. 1843.

To Hon. JOSEPH EVE,  
*Etc., etc., etc.*

MY DEAR SIR:—In the absence of the Secretary of State, by way of a familiar epistle, I design to communicate some official intelligence which is due to the government of the United States as well as to that of Texas.

*The ink is scarcely dry upon the assurance that no aggressive action would take place on the part of this government against Mexico, beyond our avowed limits, unless it should be rendered necessary by the acts of Mexico towards Texas.* In despite of this assurance our navy has gone to sea. In doing so, I can only say that the commander has committed the most flagrant outrage possible upon his country and the law of nations.

That you may assure your government that it has not been perpetrated with or by my connivance, I take pleasure in forwarding

<sup>a</sup> May 4, 1843. See Calendar of Correspondence with the United States in Part I.  
<sup>b</sup> See Records of Department of State (Texas), Book 40, pp. 246-247.

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to you a proclamation and order;<sup>a</sup> and that you may have it in your power to make such representation to the government of the United States as will vindicate the head of this nation from the imputation of insincerity and duplicity.

The crime is one of great atrocity, and I have availed myself of the first moment to apply the only corrective in my power. All that has been done by Commodore Moore since the 5th. ultimo, has been in violation of orders, under suspension and arrest. You can now judge of matters.

On the 5th. of April, the order of the Department of War and Marine<sup>b</sup> was placed in his hands, since which time he has ordered a court martial, approved the proceedings and executed the sentence.

By the copy of a letter of instructions,<sup>c</sup> also, forwarded, which I delivered to one of the commissioners with orders to proceed immediately to its execution, you will find a clear anticipation of the course which would be attempted by Commodore Moore, and the precaution taken to prevent evil.

Such measures as you may be authorised to adopt for the present, apart from communicating the facts to your government, I trust will be adopted.

I am very truly your friend,

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PORTER TO WEBSTER.<sup>d</sup>

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JONES TO VAN ZANDT.

(Copy)

DEPARTMENT OF STATE

*Galveston May 8th 1843*

Hon. ISAAC VAN ZANDT

*Chargé d'Affaires of Texas etc*

SIR,

On my arrival at this place the day before yesterday I received your official Dispatches of the 19th and 21st Ultimo. \* \* \*<sup>e</sup>

If your request for leave of absence to visit your family is granted, you will be governed in the time of your leaving Washington by your own judgment, and with a view to make the visit at such a period as will give the least detriment to the public interests and it is hoped that your absence may not exceed six weeks or two months

<sup>a</sup> March 23, 1843. See *The Morning Star*, May 11, 1843, and *The Red-Lander*, June 24, 1843.

<sup>b</sup> Hamilton to Moore, March 21, 1843. See *The Red-Lander*, June 24, 1843.

<sup>c</sup> Houston to Morgan and Bryan, March 23, 1843. See *The Morning Star*, June 13, and *The Red-Lander*, June 24, 1843.

<sup>d</sup> May 6, 1843. See Calendar of Correspondence with the United States in Part I.

<sup>e</sup> Here is omitted a paragraph relating to Van Zandt's salary.



Should the contemplated change take place in the State Department and a new Secretary of State of the U States be appointed it would probably be well for you to remain at your post untill such time as you could, have a full understanding with him concerning the affairs of Texas. During the months of July and August, the officers of Govt. of the United States are generally absent, from Washington, and but little public business can be transacted there. If you could embrace this period conveniently for your visit home, there could be no objection to your doing so, and remaining untill those officers returned, and the public business should be resumed.

I enclose you herewith, a copy of the translation of a document, furnished to James W. Robinson (one of the Bexar prisoners) by the President of Mexico Gen. Antonio Lopez de Santa Anna. This embraces the propositions which Mr. Robinson was authorized by that functionary on behalf of the Mexican Government to make to the *people* of Texas, and instructions in relation to the same<sup>a</sup>

No propositions of any character have been submitted by Mexico to this Government, nor was Mr. Robinson charged with any communication to it.

The propositions of Gen. Santa Anna, have been published by Mr. Robinson through the medium of the public papers, and have every where been met by the people to whom they were addressed with indignation and contempt, and rejected by one unanimous response from the whole country. You will at once perceive the absurd attitude in which Gen Santa Anna has placed himself by this injudicious and ridiculous attempt to create dissention and division among the people of Texas, or his ignorance of their character intelligence views and feelings in entertaining the expectation that they would accede to the proposed terms.

Mexico must restore us our murdered thousands before we can ever *entertain* the proposition of being re-incorporated with that Government.

I have the honor to be  
with the greatest respect  
Your Obt Svt

Signed ANSON JONES

P. S. Com. Moore sailed from the Balize on the 19th Ulto. and it is supposed has gone to Yucatan. This act is not only without the authority of this Govt. but is in express violation of its orders frequently repeated <sup>b</sup>

A. J.

<sup>a</sup> See Niles' Register, LXIV, 97; *The Morning Star*, April 1, 1843; *The Red-Lander*, April 15, 1843.

<sup>b</sup> To this and other charges of a similar kind, Moore replied at length in his pamphlet, "To the People of Texas."

EVE TO WEBSTER.<sup>a</sup>

JONES TO VAN ZANDT.

DEPARTMENT OF STATE

*Galveston May 9th 1843*

HON ISAAC VAN ZANDT

*Chargé d' Affaires of Texas*

SIR

Enclosed herewith I send you a copy of a communication received at this Department from Doct. Joseph W. Robinson a citizen of Travis County, relative to the negro boys captured by hostile Indians in 1840.

Dr. Robinson also states that a correspondence has been had by a former representative of this Government and the Government of the United States on this subject, but as the Archives of this Department are still detained by the citizens of Austin<sup>b</sup> I am unable to, know the nature of that correspondence or the present situation of the business. If such a correspondence has been had it will be found on the files of the Legation at Washington, which you will please refer to, and take such steps in the matter as will bring the same to a conclusion, and that Dr. R. may either have his negroes restored to him (if the circumstances should be found as stated,) or be compensated for their capture, and loss

I have the honor to be

With the highest respect

Your Obt Svt

Signed

ANSON JONES

(Copy. c)

WASHINGTON [TEXAS] *April 20th. 1843*

HON ANSON JONES

DEAR SIR In February 1839 a desc[e]nt was made by a party of Indians upon my plantation on the Colorado River and among other thing[s] carried off two negro boys one of them about thirteen or fourteen years old named Manuel the other nine or ten named Aaron and in the fall of 1840 I was told by a Delaware Indian of the name of Frank who is well known from the circumstance of his having a red

<sup>a</sup> May 8, 1843. See Calendar of Correspondence with the United States in Part I.

<sup>b</sup> Soon after the capture of San Antonio by Vasquez, March 5, 1842, President Houston moved with his cabinet to the city of Houston, and made that the headquarters of the government for the next three years. The people of Austin, however, would not surrender the archives. An abortive effort to carry them away by force resulted in what is known as the "Archive War." See Bancroft. *North Mexican States and Texas*, II, pp. 353-354.

<sup>c</sup> See file relating to Indian Affairs in the State Library.

head that said boys were in the possession of a Mr Edwards a white man who lived in the Cherokee nation on the Canadian River and had a Creek Indian for a wife. upon the receipt of the above information I went directly to where Edwards was living and found the boys one of them at Edwards and the other at Chisholms who is a Cherokee and the soninlaw of Edwards neither Edwards or Chisholm were at home at the time and I was deterred from letting my business be known from the circumstance of having been cautioned particularly to not let it be known that I was a Texian and there was at that time a party of the Cherokees that had been Driven from Texas encampd in one mile of Edwards and directly on the road that I had to travel. When I arivd at home I made known to the Hon Secretary of State the whole matter as it then stood and he informed me afterwards that there had been a demand made of the U. S. A. Govt. for the negroes. Since that time I have not heard any thing of the matter except that the negroes are still in Edwards possession. Sir you will please to give me such information as may at any time come to your knowledge so that I can take such steps as is necessary on my part to recover the property

Yours respectfully

JOSEPH W. ROBERTSON

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LEGARÉ TO VAN ZANDT.<sup>a</sup>

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PORTER TO LEGARÉ.<sup>b</sup>

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RAYMOND TO JONES.<sup>c</sup>

WASHINGTON CITY

May 12th. 1843

HON ANSON JONES

*Secty of State*

DEAR SIR

A communication from the Department of State, here, has been recd. since Mr. Van Zandt's departure, and I deem it of sufficient importance to forward a copy to your Department, without waiting to hear from Mr. Van Zandt, to whom I also send a copy. I also enclose a slip, from the National Intelligencer of the 29th. ult, bearing upon the subject embraced in the communication above referred to.

Mr. Webster withdrew from the Department of State on the 8th. inst, and Mr. Legare Atty Genl. has been charged with its direction ad interim.

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<sup>a</sup> May 10, 1843. See Raymond to Jones, May 12, 1843.

<sup>b</sup> May 11, 1843. See Van Zandt to Jones, August 15, 1843.

<sup>c</sup> A. L. S.

The President and Secretary of Navy are now in Virginia, and are expected to be absent two or three weeks.

I consider it almost certain that Mr. Upshur will receive the appointment of Secretary of State, so soon as he completes some matters connected with the Navy, with which he has been charged.

Mr. Cushing has been appointed Commissioner to China, and Fletcher Webster Secretary of the Mission.

I expect to hear from Mr. Van Zandt in about ten days. His last Dispatch to your Department was dated the 3rd. inst.

With the highest sentiments of regard I have the honor to be

Very respectfully

Your friend and Obedt. Sevt

CHAS. H. RAYMOND

P. S. To save postage I give a copy of the slip alluded to

[Inclosed are copies of the following:<sup>a</sup> Legaré to Van Zandt, May 10, 1843; and Mitchell to Porter, April 21, 1843.]

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JONES TO EVE.

DEPT OF STATE

*Washington [Texas] May 16th 1843*

The Undersigned Secretary of State of the Republic of Texas having laid before his Excellency the President the communication from Mr. Joseph Eve Chargé d'Affaires of the United States, of the 13th Ultimo requesting on the part of the United States that Texas will abstain from carrying on the war against Mexico (Should it continue) by predatory incursions whether with a view to retaliation or otherwise, has now the honor by the instructions of the President to assure Mr. Eve that no orders have been or will be issued by him authorizing any predatory incursions into the territory of Mexico and that Texas will continue to abstain from any such mode of warfare, and that in the further prosecution of the contest she will carry it on, according to the rules recognized by all civilized nations in modern times; unless provoked to a contrary course by a continuance of unwarrantable acts of aggression, inhumanity robbery and perfidy and murder on the part of Mexico herself.

In the personal interviews with Mr. Eve which the undersigned had the honor of holding at Galveston recently in relation to this subject, this assurance was given Mr Eve verbally; and the Undersigned is happy in stating to Mr Eve that the President has been much gratified in receiving the information then given the Undersigned that his Excellency's conduct and policy in the prosecution of the contest with Mexico and in the mode of warfare adopted by

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<sup>a</sup> See Calendar of Correspondence with the United States; Part I.

him, were well understood by Mr Eve and that they had obtained his entire sanction and approval.

The Attitude towards Texas and Mexico now assumed by the Government of the United States as the leading power upon the continent of America, and the Conservator of those high principles of civilization and humanity regulating the mode of modern warfare, as acknowledged by all Christian States in the present age, being in accordance with the declared views and wishes of this government, the Undersigned is further instructed to assure Mr. Eve that the President of Texas will endeavor by every means in his power to promote and render effectual the great end and object which the United States propose to themselves in taking this attitude

The Undersigned avails himself with much pleasure of the present occasion to renew to Mr. Eve the assurance of the great respect and esteem with which he has the honor to remain

His most obt

and very humble Servant

Signed

ANSON JONES

Hon. JOSEPH EVE

*Charge d' Affaires of the U. States*

*etc etc etc*

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JONES TO EVE.

DEPT. OF STATE,

*Washington [Texas], May 17th, 1843.*

The undersigned, Secretary of State of the Republic of Texas, has the honor to acknowledge the receipt of the note addressed to him by Mr. Eve, on the 28th. ult. in relation to the subject of coasting licences.

Although the adoption of the suggestion of Mr. Eve, in regard to this matter, might, perhaps, be productive of much general convenience and benefit, the undersigned nevertheless conceives that the instruction to the receivers of customs, asked for, can not be given, as it would not be in accordance with the provisions of the fifth section of an act of the Congress, entitled "An Act for the regulation of the Coasting Trade and the protection of Texian Shipping", approved January 4th. 1841.<sup>a</sup>

The undersigned avails himself of this occasion to renew to Mr. Eve the assurances of his distinguished consideration.

(Signed)

ANSON JONES

To Hon. JOSEPH EVE,

*Chargé d' Affaires of the United States,*

*etc. etc. etc.*

*Galveston.*

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<sup>a</sup> Gammel, *Laws of Texas*, II, 479.

CRAWFORD TO PORTER.<sup>a</sup>PORTER TO LEGARÉ.<sup>b</sup>

JONES TO VAN ZANDT.

DEPARTMENT OF STATE,  
[WASHINGTON, TEXAS,]

June 1st 1843

HON. ISAAC VAN ZANDT  
*Chargé d'Affaires of Texas*

SIR

The enclosed documents marked from A to [F] will give you all the information in the possession of this Department concerning certain outrages recently committed upon the authorities and citizens of this country by officers and citizens of the United States.

You will cause information of the same to be laid before the Government of the United States at your earliest possible convenience, with a respectful but urgent request for such prompt redress as the circumstances of the cases require.

I have the honor to be,

with high consideration,

Your very obedient servant,

(signed) ANSON JONES.

(The documents accompanying this communication were copies of the following, viz.:

1. A letter from Dist. Atty. 7th Jud. Dist. reciting the manner in which the goods etc. were taken from the collector. "A."
2. The petition in the action commenced by the collector in the Dist. Court of Red River, with the order of the Judge thereupon. "B." This contains a description of the goods etc.
3. Letter from Secretary of the Treasury, enclosing certain documents relating to the subject. "C."<sup>d</sup>
4. Letter from collector to Sec'y Treasury—reciting the History of the transaction. D<sup>e</sup>
5. Letter to collector from Acting Sec'y of the Treasury "E."<sup>f</sup>
6. Letter from acting Secretary of Treasury to certain traders. F.<sup>g</sup>)

<sup>a</sup> May 26, 1843. See Van Zandt to Jones, June 29, 1843.

<sup>b</sup> May 27, 1843. See Van Zandt to Jones, June 29, 1843.

<sup>c</sup> What follows in parenthesis is an explanatory statement appended to the copy of the letter.

<sup>d</sup> This letter has not been found.

<sup>e</sup> See Calendar under title of Bourland to Secretary of Treasury of Texas (Shaw), May 4, 1843.

<sup>f</sup> See Calendar under title of Shaw to Bourland, April 17, 1843.

<sup>g</sup> See Calendar under title of Bourland to Doak & Tims and others, April 17, 1843.

[The communication from the district attorney inclosed with the original Department of State letter to Van Zandt is as follows:]<sup>a</sup>

CLARKSVILLE, TEXAS, *May 1st, 1843.*

To Hon. ANSON JONES,

*Secretary of State.*

SIR,

The enclosed Petition will give all the information in my possession concerning the seizure of certain Goods etc. imported to, and stored within the limits of this Republic.

It becomes my duty to report to your Department the manner in which said Goods, were taken from the possession of James Bourland, the Collector of Customs for this District. Captn. Joseph Scott, the master of the Steamer Fort Towson mentioned in the petition, after learning of the seizure, and before the issuing of the monition by the Clerk as required by law, proceeded to the landing at which said goods were stored, and then in possession of the Collector, and together with the crew of his own vessel, and that of the Steamer Hunter, consisting of about thirty men in all, after seizing the Collector, forcibly took the goods out of his possession, and reshipping them on board of his vessel, immediately conveyed them off. This flagrant violation of the requirements of good neighborhood, and infraction of our rights as a nation, by a citizen of another Government, (the United States) was accompanied by the grossest indignities to the person of the Collector Mr. Bourland, who was seized by this lawless band of ruffians and intruders, forcibly thrown down, and tied hand and foot, and compelled to remain in that degrading situation, until they completed their robbery.

I have conceived it my duty to furnish you with this statement of the facts, to enable you to take such steps as may be necessary to obtain redress for this; and prevent the recurrence of similar outrages; by teaching the aggressors what fearful risks they run, by an interference with the rights of nations. Something should be done by our Government, to remedy the frequent violations of the rights of both our Citizens, and Government. The citizens, and I am sorry to add, too frequently the Officers of the United States, forgetful of the principles of justice, and all regard for treaty stipulations, trample upon those rights, reckless of the consequences that may ensue from embroiling the two Countries; careful alone of their own personal safety, and arrogantly insulting, from the hope, that they will be shielded by their own Government.

In October last, a Col. Loomis, the Commandant of the garrison at Fort Towson, without justification or provocation, ordered the

<sup>a</sup> See Records of Department of State (Texas), Book 45, p. 84.

destruction of a number of Barrells of Whiskey, the property of Capt. Travis G. Wright, (a highly respectable and worthy citizen of this Republic). The Whiskey was on board a keel boat, upon which it had been freighted, and which said boat was discharging freight for the Garrison, at Fort Towson, previous to proceeding to Captain Wrights landing, which order was executed. The proofs, I am happy to learn are being prepared to be sent to your Department.

Whilst every exertion is being used to enforce the treaty stipulations governing the intercourse of the two countries, by the authorities of this, I can hear of none being made to check their infraction on the part of the United States, or any notice taken of the conduct of offenders; If that Government were notified of this state of affairs, they would certainly remedy it.

I have the honor to be,  
Your Obedient Servt.

JESSE BENTON JR.  
*Dist. Attorney*  
*7th. Judl. Dist.*

[The petition of Bourland, also enclosed in the original letter to Van Zandt, is as follows: <sup>a</sup>]

THE REPUBLIC OF TEXAS { To the Honorable John T. Mills, Judge  
*County of Red River* { of the Seventh Judicial District, Pre-  
siding in Law and Equity.

The Petition of James Bourland, Collector of the Customs, in and for Red River District, for the Republic of Texas, aforesaid, by Jesse Benton Jr. Dis. Attorney, would respectfully show and represent unto your Honor; that on or about the fifteenth day of March in the year of Our Lord One thousand eight hundred and forty three; certain Goods, Wares, and Merchandise, from a foreign port, and from foreign ports, and on a foreign vessel or Steam Boat, called and known by the name of the Fort Towson, were imported to and within the limits, and bounds of the Collectoral District, aforesaid, in the Republic of Texas aforesaid; And that the said Goods, Wares, and Merchandise, hereinafter described and set forth: so imported and introduced from a Foreign Port as aforesaid, by and on and upon a foreign vessel or Steam Boat called the Fort Towson; were then and there landed, imported, and introduced, into the said Republic of Texas, at a certain landing, port, or place called Rowland; and usually known and called by the name of Brierly's <sup>b</sup> Landing, the same being in Red River County, and the Republic of Texas, aforesaid; and proceeded to land,

<sup>a</sup> See Records of Department of State (Texas), Book 45, pp. 86-89.

<sup>b</sup> The correct spelling is Bryarly.



deposit, and store the said Goods, Wares, and Merchandise as above mentioned; without then and there, and in the necessary and due time required by the Laws of the Republic of Texas; and the Laws regulating the Revenue, and for the collection of the impost duties, for the same; making a written report, and entry of the said Goods, Wares, and Merchandise, to the said Collector of the Customs, for the said District, or his legally authorized Officer, in accordance to law; and without making a report to him, of the same; and did fail to make a proper manifest in writing, containing and presenting the marks, numbers, contents, and packages and of all the different packages, or parcels of Goods, Wares, and Merchandise; so imported, introduced, and landed by the said Steam Boat called the Fort Towson; and the place where the said Goods, Wares, and Merchandise, were taken on board, and shipped at; together with the name and description of said Boat, her burthen and tonnage etc; together with the name, of the Consignees of all the same, to the Collector of the Customs in and for said District, and the Republic aforesaid; within the time required by the laws of Congress, regulating the collection of the Revenue by Impost Duties, and entitled an Act, "Altering the several Acts to raise a Public Revenue by Impost Duties," which recites; that "all duties accruing to the Republic under this Act, and which may be levied and assessed on Goods, Wares, and Merchandise, imported into the territory of the Republic, shall be paid to the *Collector* of the port, district, or station, in cash, at the time of such importation, on proper, and lawful entry thereof being made, to the Collector, or proper Officer of the Customs, which cash payment must be made in Gold or Silver, or in the Exchequer Bills of this Government; and it shall not be lawful, for the Officer, or Collector of the Customs, to deliver or permit the delivery of any goods, wares, or merchandise, to any Consignee, Agent, or proprietor, thereof, except in the manner herein provided, unless the amount of Duties accruing thereon shall first have been paid to the Collector, or proper Officer of the Customs, appointed by such Collector to receive the same."

And your petitioner, would further respectfully represent unto your Honor, that the said Goods, Wares, and merchandise, as heretofore stated, having been so imported, landed, and introduced from a foreign port or ports, by the Steam Boat Fort Towson, as aforesaid; and landed and deposited within the limits and territory of the said Republic of Texas, without a proper entry thereof being made, in the time and manner required by law; and the duties on the same, in accordance to the law in such cases made and provided; not having been paid, as aforesaid; And your petitioner having reason to suspect, that the same, and aforesaid mentioned goods, wares, and merchandise were subject to duty; and that the same were concealed, and

deposited in a store house, in the territory and limits of said Republic; he proceeded by a warrant granted by and from a proper Officer, and proceeded to search for the same, on or about the twenty-sixth day of March A. D. 1843; when the following goods, wares, and merchandise, packages, and parcels, all being subject to duty, were found deposited and stored, at the above named place or town called Rowland, also usually known and called Brierly's Landing, on Red River, the same being in Red River County, and within the limits and the Territory of the Republic of Texas, which were then and there seized by him, in accordance to the Law: Viz

[Here follows the invoice.<sup>a</sup>]

All of which parcels, and packages of goods, wares, and merchandise, as above named and described, were seized and secured in accordance to Law. And your Petitioner would further represent unto your Honor, that conceiving the above mentioned goods to be forfeited, under the Law in this case made and provided; inasmuch as the Duties, upon the same were not paid to the Custom House Officer, for said District; nor entered with the proper officer as required by Law; your petitioner, would therefore respectfully request of your Honor, that you do issue a decree, ordering the said Goods, wares, and Merchandise, as aforesaid to be libelled, and prosecuted in the proper Court, having cognizance of the same; and that the owners of said vessel on Steam Boat, and claimants of said goods, wares, and merchandise, whoever they may be, to be cited to appear before your Honors Court, and respond and answer to the same; as by law they are required to do; And that Judgment be then and there rendered in the same etc.; and your Petitioner as in duty bound will ever pray etc.

JAMES BOURLAND, *Collector*

by

JESSE BENTON JR. *Dis. Att'y*  
*7th. Judl. Dist.*

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VAN ZANDT TO LEGARÉ.<sup>b</sup>

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LEGARÉ TO VAN ZANDT.<sup>c</sup>

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MEMORIAL OF COOPER.<sup>d</sup>

<sup>a</sup> See U. S. Pub. Docs., 449, Doc. 1, p. 94; *ibid.*, 463, Doc. 2, p. 94.

<sup>b</sup> June 1, 1843. See Van Zandt to Jones, June 5, 1843.

<sup>c</sup> June 1, 1843. See Van Zandt to Jones, June 29, 1843.

<sup>d</sup> Undated. See Van Zandt to Jones, June 5, 1843.