

VAN ZANDT TO JONES.<sup>a</sup>LEGATION OF TEXAS  
*Washington [City], August 15th. 1843*HON ANSON JONES  
*Secretary of State*

SIR

I have the honor herewith to transmit to you a copy of a letter, and of the documents which accompanied it, just received by me from the Hon A. P. Upshur, Secretary of State of the United States, in reply to my communication to him of the 8th. instant, upon the subject of the outrage lately committed upon Col Bourland, the Collector of Red River, by certain citizens of the United States. Mr. Upshur informed me today in a personal interview, that he was using every exertion to obtain full information in regard to the case, and said he hoped soon to be able to communicate to me further in relation to it.

In a personal interview to day with Mr. Porter Secretary of War, that gentleman did me the kindness to suffer me to peruse the principal portion of the report, of the RENOWNED Capt. Cook, who lately *captured* one hundred of our citizens under Colonel Snively. I entertain but little doubt that this affair occurred within the limits of Texas, and cannot be considered in any other light, than as an enormous outrage. I deem it unnecessary to send you a synopsis of Capt. Cook's report, which fills several sheets of fools cap, and is evidently designed to be magnificently eloquent, and a full commentary upon international law, and the right of War. The affair having already terminated, I think it unnecessary to take any steps in relation to it here, until I receive the instructions of your Department.

Gov Butler, late, United States Commissioner to Texas is here, and from him I have learned some facts relative to the contemplated Indian Council, which I deem of importance, and accordingly submit them for your information. He says, "In a communication received by me from three Delaware Chiefs, Captains "Roasting Ear," "St Louis" and "Red Tail" dated about the first of July they say in substance, that they are just from the Commanche towns, where a Council was had on the subject of a treaty with Texas, which it would appear they had been invited to attend at some point on the Trinity River. They decline meeting there but express a willingness and desire to meet on the waters of Red River on the south side, and invite the countenance and cooperation of their Great Father, the President of the United States, some time in the early part of next winter, further that they had been advised by

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<sup>a</sup>[Despatch No. 105.]

their *Chickasaw, and Cherokee* brothers not to make a treaty with Texas without they said so"<sup>a</sup>

If this information be correct, which I do not doubt, then there is no probability that the Comanches will come in at the contemplated period. Gov Butler says, further, that he is satisfied they will not come to Birds Fort, until they are first met higher up. Under these circumstances I fear some difficulty may arise, unless we can at once secure the full cooperation of the United States, and agree upon a concerted action. I think it also important as their influence is paramount with the Indians, that the United States should take the lead if possible in inviting them to the meeting.

I have had a long conversation with Mr. Porter, the Secretary of War upon this subject, and have urged upon him the propriety of extending the instructions of the United States Commissioner, so as to make his Government a full party to the contemplated treaty, or that perhaps it might be better, as Gov Butler had the confidence of the Department, to revoke the former instructions and make the whole discretionary with him. The Secretary of War I think, will agree to the proposition; if he does, the question then arises, as to the place, the time etc. On this point I am not instructed. Gov Butler being here and on his way to South Carolina to remain for some time, would it not be better to arrange the whole now and let the necessary order issue? I think so, and entertaining this view I shall assume the responsibility, so far as the agreement of time, and place are concerned, satisfied that it will not interfere with any previous arrangement of the Presidents, can be productive of no harm, and may result with great advantage to Texas. Every treaty made with the Indians is so much gained, but my own opinion is, that a treaty made with the Comanches, in which the United States becomes the guarantee, is worth a hundred treaties without it. I shall address a formal communication to the Secretary of State upon this subject on tomorrow, a copy of which, with his reply thereto I shall transmit to you as early as practicable.

If I can obtain the sanction of this Government to send out some persons to invite the Indians in, it will likely be more effectual, and save us at the same time much expence. This I will endeavour to effect.

I have the honor to be, Very Respect. Yr Obt. Servt.

ISAAC VAN ZANDT.

[Here follows a copy of Upshur to Van Zandt, August 10, 1843.<sup>b</sup>]

<sup>a</sup> For the beginning of this quotation, see "In a communication", etc., above.

<sup>b</sup> See Calendar of Correspondence with the United States in Part I, under date of August 11, which is that of the letter as printed.

(Secretary of War to Secretary of State.)

[Washington City, May 11, 1843. a]

SIR: I respectfully transmit herewith copies of two letters just received from the Acting Superintendent of Indian Affairs on the southwestern frontier, which induce a belief that there has been an interference of citizens of Texas with the private property and rights of citizens of the United States.

The matter seems to have been referred to the Representative of this Government in Texas, and may become a subject of correspondence with the Department of State.

Very Respectfully

Your Most Obedient Servt

(signed)

J. M. PORTER

Hon H. S. LEGARE

*Secy of State*

(Mr. Armstrong to Mr. Crawford.)

CHOCTAW AGENCY *April 10th. 1843.*

SIR

I have just been informed that the Steam Boat, Fort Towson loaded with goods for the different Merchants at Doakeville in the Choctaw nation, three of whom Col David Folsom Joel H Nail and Robert M Jones are Choctaws, have had their goods seized. The circumstances as I am informed are these. The Boat was unable to get up for want of water, and stored the goods on the Texas side, and returned to the raft. The goods were seized, and now are awaiting a trial. I understand that the case has been represented to our Chargé d'Affaires in Texas, and also that a memorial has gone to the President of the United States. This will produce excitement. It is a well known fact that no fraud was intended or that the owners of the goods had any control over them. It has been customary for boats to store their goods in this way. There are one or two boats above the raft employed as packets in carrying freight. I thought it my duty to communicate this affair to you and will give such further information as may be received.

Very respectfully etc. (signed)

WM. ARMSTRONG

*Actg Supt. Ind.*T. H. CRAWFORD *Esq**Commissr. Ind Affr. Washington.*

(Same to Same. b)

SIR: I learn that the Crews of the Steam Boats Fort Towson and South Western, met at Bryarly's landing, Red River, Texas the point

<sup>a</sup> As to this date, see Upshur to Van Zandt, August 10, 1843.<sup>b</sup> Date not copied.

at which goods for different individuals in the Choctaw Nation were stored, and tied the Collector and guard, and put the goods on board. There was also a considerable lot of Government freight stored which was also released. The Boat lies on the side of the Red River, unable to get up for want of water. The Commanding officer at Towson has sent a guard as I learn to protect the public property. The citizens of Texas I understand favored the party who retook the goods. I Give you the news as I hear it, which will doubtless be a complaint to the Government.

Very Respectfully &c

(signed)

WM ARMSTRONG

*Acty Supt. W. T.*

T. H. CRAWFORD *Esq*

*Commissr. of Ind Aff's*

*Washington*

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

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DERRICK TO VAN ZANDT.<sup>b</sup>

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COMMISSIONER OF INDIAN AFFAIRS [CRAWFORD] TO SECRETARY OF  
WAR [PORTER].<sup>c</sup>

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

[Transmits correspondence with the British Chargé at Washington, Texas, concerning the armistice "recently established" between Texas and Mexico;<sup>e</sup> acknowledges receipt of Van Zandt's communication of June 29.]

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

LEGATION OF TEXAS

*Washington City Augst. 20th. 1843*

HON ANSON JONES

*Secty of State*

SIR

Mr. Abell bearer of dispatches from the United States has had the kindness to take under his charge the blank forms etc of the

<sup>a</sup> August 16, 1843. See Van Zandt to Jones, August 31, 1843.

<sup>b</sup> August 18, 1843. See Calendar of Correspondence with the United States in Part I.

<sup>c</sup> August 18, 1843. See Van Zandt to Jones, September 18, 1843 (Dispatch 108).

<sup>d</sup> August 20, 1843. See Records of Department of State (Texas), Book 44, p. 168.

<sup>e</sup> See note [b, p. 611, Brit. Cor.].

*J. A. L. S.*

Genl. Post Office Department, and has promised to deliver the same into your hands upon his arrival in Texas. Mr. Ellsworth of the Patent Office has kindly proffered his *frank*, and I will send the blank forms of that office and the laws on the subject of patents by mail to you. Mr. Van Zandt is at Alexandria to day and will not see Mr. Abell.

Gov Butler and General Armstrong are in the City and took dinner yesterday with Mr. Van Zandt, so did Mr. Crawford Comr. of Indian Affairs. Gov B seems heartily desirous of aiding all in his power to bring about a peace between Texas and *all* the Indian tribes, and I think he will be fully empowered to make the U. S a party to a treaty and a guarantor for the faithful performance of its stipulations etc.

Mr. Upshur is a staunch and ardent friend of Texas. I have learned from good authority that Mr. Henshaw is in favour of annexation.

Mr. Van Zandt has made three communications to your department the present month. The mail from Galveston arrived last evening and brought nothing for us but newspapers.

Will you please present my kindest regards to the President and his lady and accept for yourself the great respect and esteem of

Your Obt. Servt

CHAS. H. RAYMOND

(In haste)

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PARKER TO UPSHUR.<sup>a</sup>

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

*Dispatch 106*

LEGATION OF TEXIAN  
*Washington City August 31st. 1843*

HON ANSON JONES

*Secretary of State*

SIR

Mr. Barnard has just arrived here, and will leave immediately for Texas. Through his kindness I am enabled to transmit to you the census documents alluded to in a former dispatch. They contain much valuable statistical information upon the subject of the commerce of this country, and will be of much service as a work of reference for your Department upon that subject. Mr. Raymond sent you the Post Office forms and blanks by Mr. Abell, bearer of

<sup>a</sup> August 22, 1843. See Van Zandt to Jones, September 18, 1843 (Despatch 108).

<sup>b</sup> L. S.

dispatches from this Government. Mr. Ellsworth of the Patent Office has enclosed you by mail all the papers in relation to patents—all of which I hope in due time will arrive safe.

I received a few days ago a letter from Dr. Smith, dated at Paris on the 1st. Inst. He enclosed me a copy of a dispatch which he had sent to your Department. As the facts mentioned are of importance and fearing some delay may have attended it, I have sent you a copy, so that if the original letter has not reached you, you may have the information which it contains.<sup>a</sup>

The President, and all the Cabinet except Mr. Henshaw, are now absent and will not return for two or three weeks. Previous to the departure of the Secretary of War, I agreed with him in regard to the preliminaries of an Indian Council. I send you a copy of my letter to the Secretary of State upon this subject, a formal answer to which has not been received, and perhaps may not be until the Secretary returns. I have however the honor to inform you, that the necessary orders have issued from the War Department to Gov Butler, who has appointed the Commissioners, and directed them to start forthwith to invite the Indians in. A deputation of three persons is to go and they are to carry with them tobacco, and other presents to induce them to come in—they are to meet on the Texas side of Red River, and in the neighborhood of the mouth of Cache Creek,<sup>b</sup> which is a short distance above Coffee's station. The full moon in November is the time agreed upon. I would have preferred it earlier, but Gov Butler was of opinion that it was best to give full time, so as to prevent all difficulties. I hope the steps which I have thus taken may meet your approbation, and that in due time His Excellency the President will send Commissioners to attend the Council. It will be necessary to have a little beef and perhaps a few bushels of corn for the Indians. The United States will also send in some provisions, and presents to be given them at the Council.

The final instructions which are to govern the Commissioners of the United States have not been given. I do not know to what extent they may go. I should have no difficulty if it were not for the cold notions of Mr. Crawford the Head of the Indian Bureau. I will do the best I can, satisfied that even a full, and friendly joint talk will be of much service.

Since my dispatch of June, last, was written I have been enabled to obtain some important evidence in relation to the negroes of Dr Robinson,<sup>c</sup> and I am now satisfied that I shall obtain an order for

<sup>a</sup> The letter of Smith to Jones copied is of date July 31, 1843, and it refers to the work in London of the Abolitionist S. P. Andrews. See Correspondence with Great Britain.

<sup>b</sup> See Gregg, *Commerce of the Prairies*, Vol. I, map.

<sup>c</sup> Robertson.

them, so soon as the Secretary of State returns to his post. I think therefore that you would do well to inform Dr Robinson, that it will not likely be necessary for him to take any further steps in relation to procuring testimony, until I ascertain what further can be done here.

I have the honor to be with great  
respect—Your friend and Obdt. Servt

ISAAC VAN ZANDT

[Next comes a copy of Van Zandt to Upshur, August 16, 1843.]<sup>a</sup>

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PROCLAMATION OF HOUSTON ORDERING RELEASE OF MEXICANS.<sup>b</sup>

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

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UPSHUR TO VAN ZANDT.<sup>c</sup>

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

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VAN ZANDT TO UPSHUR.<sup>e</sup>

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ELLIOT TO JONES.<sup>f</sup>

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

Dispatch No. 107

LEGATION OF TEXAS  
*Washington D. C. Sept 18th. 1843*

HON ANSON JONES  
*Secretary of State*

SIR

It has been made known to your Department, in a former dispatch, that in compliance with your instructions of the 6th. of July last, I had communicated, verbally, to the President, and Secretary of State

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

<sup>b</sup> September 4, 1843. See Jones to Van Zandt, September 29, 1843.

<sup>c</sup> September 7, 1843. See Van Zandt to Jones, September 18, 1843 (Despatch 108).

<sup>d</sup> September 14, 1843 (acknowledging receipt of Upshur's note of September 7). See Van Zandt to Jones, September 18, 1843 (Despatch 108).

<sup>e</sup> September 14, 1843 (concerning Dr. Robertson's negroes.) See Van Zandt to Jones, September 18, 1843 (Despatch 108).

<sup>f</sup> September 15, 1843. See Jones to Van Zandt, September 29, 1843.

<sup>g</sup> L. S.

of the United States, the fact, that my former instructions upon the subject of annexation, had been suspended, and that the Government of Texas reserved the question for future consideration. Since I did this, I have not thought it proper for me to urge it again upon this Government. Nevertheless, in every interview, which I have had with the Secretary of State, Mr. Upshur, he has invariably mentioned the question, and dwelt upon its merits at some length; in fact, the announcement to him, that my instructions were suspended, seems to have fired him anew in regard to it. He has frequently inquired whether there had been a change in the views of the Texian Administration upon this subject; to this, I have always replied, in substance, that since my instructions were suspended, I had not been advised of the views of our Government, and could only give him my unauthorized opinion as an individual, which was this, that if the proposition was made to Texas, and with a strong probability the measure would succeed before the Senate of the United States, I thought it would be acceded to, but could not speak with certainty or authority. I further said to him, I did not deem it improper for me to communicate to him, (as he had interrogated me on the point) that portion of your dispatch of the 6th. July last in which you say "It is believed that the settlement of our difficulties with Mexico and the acknowledgment of our independence by that power will very much simplify the question of the annexation of Texas to the United States, and if, after this event, Texas should continue to desire this annexation, a treaty for the purpose would be more likely to succeed, and to meet with favour from the people of the United States, than if, as now that question were embarrassed with a question, and involved the contingency of a war between that Government and Mexico." In our several conversations alluded to, Mr. Upshur frequently remarked with much earnestness of manner, that he hoped Texas would not change her former policy on this subject; that it was the great measure of the administration here, and that he was actively engaged under the instructions of the President, in preparing the minds of the people for it, and in learning the views of Senators on the subject; and so soon as they conceived it safe, they would renew the proposition on their part.

I now proceed to submit for your information and consideration, the substance of a conversation had with the Secretary of State, to day, in relation to this matter. I called at the State Department this morning about the two negroes taken by the Indians from Dr. Joseph W. Robertson, of which you are further informed in another dispatch that accompanies this of the same date. On meeting Mr. Upshur he remarked, he was exceedingly glad I had called on him, that he was just in the act of addressing me a note requesting an interview. Without waiting to be informed of the object of my



visit, he proceeded in substance to say, that his object in wishing to see me, was to make known further his views, and the wishes of the Executive on the subject of the annexation of Texas to the United States, that they now contemplated an early action thereon and that he was desirous I should immediately communicate this fact to your Department, in order that should the President of Texas still desire to conclude such a treaty, the Representative of Texas here, might be immediately clothed with the necessary powers to act upon the proposition, should it be submitted by the President of the United States, which proposition he now confidently believed would be made before the meeting of the next Congress—that from all the facts now before him he believed such a treaty might be safely submitted to the next Senate, and entertaining this opinion he was desirous to act on it as early as practicable. He then stated at some length the grounds of his belief of a favorable action by the Senate of the United States, which were drawn from the views of various correspondents, and the manifestations of public sentiment, in different quarters of the country. I asked Mr. Upshur if some of Mr. Tyler's cabinet were not still opposed to the measure, he replied, that one or two of the gentlemen perhaps might be, but the controlling influence was now decidedly in favour of action upon it. I then remarked to him, that though it might be possible our Government might still desire to make the treaty, yet, I doubted under all the circumstances whether the necessary powers would be given, unless the proposition was positively made, he replied that he could not make it at this time nor would he likely be able to do so in time for me to communicate the fact to your department and obtain an answer before the meeting of Congress, but that he would repeat again what he had said before, that "he confidently believed he would be able to make the proposition before the meeting of Congress, and he hoped, if he did so, that the Representative of Texas here would be sufficiently authorized to act at once." I then told him I would immediately communicate to my Government what he had said to me about the matter, and his wishes in relation to the same; and so soon as an answer was received I would inform him of it. He asked what would be the probable length of time before an answer could be had. I replied, I thought between 30 and 40 days, if not longer, he then asked me if I did not deem the communication of sufficient importance to dispatch a special messenger with it, I replied, that I should not think it necessary unless the proposition was actually made. This he said he could not make, nor did he think it would be proper to do so, unless I had the necessary powers to negotiate; that if the Texian Government was yet in favour of the measure, no harm he thought could result from the conferring of provissional powers, to act in case the negotiation was proposed on their part.

I have thus given you the substance of our very lengthy conversation, in order that you may act upon it as advisedly as possible. It will need but few comments, as it explains itself fully. That the Secretary is serious in what he says, I have not a doubt, but whether he will carry out the measures indicated or not, is impossible to tell. My own opinion is that from the situation of political affairs here, it is hard to know what, or whether any move will be made on any particular question, until you have seen the step taken. That the Administration contemplate making the proposal of annexation I believe true. That they will do it is at best uncertain. If the treaty were concluded, and submitted to the Senate, no doubt the debate would be fierce and exciting, but I think it would be advantageous to the treaty, and in the end secure its adoption.

For the great welfare, and prosperity of Texas, I believe nothing could contribute so much as her annexation to the United States, and, believing like views were entertained by our Government and people, up to the time of the receipt of your letter suspending my former instructions, I left untried no means, which I thought calculated to advance or promote this object.

Whether such be the views of the Executive at this time I am of course unadvised; facts and circumstances, known to him, may have changed his former opinions, and altered his policy in relation to this question. I have however given the facts as I understand them—it is not for me to determine what course should be taken by the Government. Whether the provisional powers shall be conferred or not, is a matter which can alone be decided correctly, by the Executive with the aid of his advisers at home, who are presumed to know the whole situation of the country, its wishes and policy. Be the determination what it may, I hope no time will be lost in making the same known to me. And here suffer me to remark before closing this communication, that should the two Governments determine to attempt the proposed measure, I am sensible the responsibility of the Agent of Texas must necessarily be great, and his actions require much judgment and deliberation. Should it therefore be the wish of the Executive to confer those powers upon any individual, other than myself, or upon any one in connexion with myself, I will cheerfully acquiesce; if conferred upon me alone, conscious of their high importance I shall endeavour (if an action be had at all) to discharge the duty in strict compliance with the instructions which may be given by your department.

With the highest sentiments  
of regard I have the honor to be  
Your most Obedt Servt

ISAAC VAN ZANDT