

pleasure again in a Very few days at farthest, when I trust I shall be able to report further progress.

Meantime excuse this necessarily hasty note, as the mail is about closing.

With great Respect, I remain Your
Most obt Servant

JAMES TREAT

TREAT TO LAMAR.^a

[Duplicate. "Confidential."]

MEXICO, *January 18th. 1840.*

MY DEAR SIR

I have the honor to hand you herewith, Duplicates of my last three communications of 20th. and 31th. December and 7th. instant, to which I crave reference, should the originals not reach You in safety. These advices are not very important, but I transmit copies to keep up the chain of events, and I should not have been silent since my last respects of 7th inst but for indisposition, (which has been but temporary) want of anything decisive to advise You and also want of opportunity to transmit my advices from the Coast. Even this dispatch goes to Vera Cruz, (and I think I will forward duplicate *via Tampico*) without knowing any vessel bound either to New Orleans or Havana; it must therefore take its chance thro the medium of my active correspondents.

As regards the action of Congress in relation to Texan affairs since my last details, it will be sufficient to remark, briefly, and without occupying too much space: In relation to the project of Govmt., asking for Ways and means and extra powers *politico-militares*, it has been under discussion, and still is; but in its original shape, or with a few unimportant amendments, it is of but little importance to the Govmt. or to my interests, except as regards the powers; for the Ways and Means, altho' granted, as reported by the Committee, is, as it were, a nullity, as it proposes a capitation tax, difficult to carry into execution, and, if executed, very slow in its operation. And, 2dly. as regards the powers in question, there is now no objection to their beeing given, as it may facilitate my action with the Govmt., when the time arrives for opening direct communications, as suggested in my last dispatch. Hence, the project may become a law, as it ceases to be a matter of so much moment as to induce any formal opposition, even were it likely the bill could be checked; which is not probable, as You will see in the course of this letter.

^a L. S.

In relation to my movements and those of my friends, I have already indicated what results we promised ourselves, and which then appeared reasonable enough, considering the state of things as they existed at the time. And altho' we have not entirely succeeded as regards a Majority, yet there is a very respectable minority in the house, and perhaps a majority in the Senate (or nearly so) who are opposed to the expenditure of more money in the project of invading Texas, and who would, and will, co-operate with the Govmt. (when the time arrived for them to act) in an amicable arrangement of this question. This advantage, therefore, has resulted, not only in, and among the members of Congress, but among many influential and intelligent men, in and out of office and of both parties, *viz.* They have listened to the subject, examined it in its various bearings, reflected upon it, in reference to its effects upon the interests of the country, and they have almost universally come to the conclusion that a compromise of this question must sooner or later take place; and many think that now is the propitious moment, when it might, and in fact ought to be accomplished.

The effects of thus moving and discussing this question in the Way, I have described (a matter of course and quite natural, while the Govmt. are pressing the topic on the attention of Congress) has further extended to the conductors of the Press, many of whom have emitted opinions, not on the direct question, but significant and indicative, that the Govmt. should reflect well on the subject before subjecting the Nation to the unfortunate results of an other fruitless expedition against Texas. These and similar demonstrations of the current of public opinion are not without manifest advantages, for they are calculated and were intended to produce an impression on the Govmt. itself, at a proper time; and, in case future hostilities should ensue, (initiated by either party) the war would be decidedly unpopular, with the intelligent people here, and therefore inefficient and abortive in its results on the part of Mexico. I have adverted to, and I think, sent an other initiative of Govmt. declaring it treason to speak or write in favor of the dismemberment of the Mexican territory and the views of the Texians etc,^a directed against Texas, but also intended to meet and prevent the agitation of Canales or Anaya's^b plan of forming a northern confederacy. If this law passes now under discussion in the House, the acts of the Govmt. will no longer be criticized so severely by the public and the press, and they can carry out their plans without the manifestation of so much opposition. It is thought that this law will pass the House, but in the Senate its fate is more doubtful, tho even there it may find a majority.

^a See Treat to Hamilton, December 16. 1839.

^b Santa Anna is probably intended.

Again, apparently not official organ has, for several years, been the subject of the liberty of the press, the intention of Govmt. to grant great liberty of the press, say, will conciliate the two. The initiative has not been prepared by Govmt. A member of Congress, (that is, a salaried, of course) is opposed to some of the leading topics and principles. No wonder, then, from the criticisms of so many, to carry out their measures more sure. All this additional preparation, however ill it may argue for, may come in play in favor of bringing the question home to the Govmt. I do not say that this is the best, but I only intimate that it may prove favourable to my plan during the Holidays of the year, a political Movement in the *nunciamento* in favour of the Govmt. some uneasiness in the success of Canales, or upon Santa Anna, I know not, but it is a favourable moment.

It was about the same time that some movement was also made by St. Anna again, and placed in a suddenly taken ill, and his plan was for that of Tacubaya; and he went up to the city. He has since then, which have been promptly rejected, merely one of his *Ruse de guerre* believed, he has no idea of how he served as an annoyance to the Govmt. them to adopt the measures, and themselves in their posts, and these immediate apprehensions of defeat (as they call it) of the Govmt. and having, as I apprehend, secured the support of Govmt. and of Congress, they appear to be

Again, apparently not satisfied with this Texas *Gag Law*, the official organ has, for several days, been writing at length on the subject of the liberty of the press, or rather its abuses, and has announced the intention of Govmt. to ask Congress to abridge the present too great liberty of the press, proposing certain restrictions, which, they say, will conciliate the two extremes of *liberty* and *licentiousness*. The initiative has not been sent in to Congress, but it is in course of preparation by Govmt. Almost every paper (and I am told by a member of Congress, that every one, except the *official*, which is salaried, of course) is opposed to the present Administration on some of the leading topics which agitate the Country, or on general principles. No wonder, then, that the Govmt. desire exemption from the criticisms of so many Missiles that they may adopt and carry out their measures more quietly, secretly, and with less exposure. All this additional power and exemption from public scrutiny, however ill it may argue for the rights and liberty of the people, may come in play in favour of the views of Texas, whenever I can bring the question home to the deliberation and action of the Govmt., I do not say that this is the object of these measures (I wish it was) but I only intimate that under some circumstances they would prove favourable to my plans and objects. I will here remark that, during the Holidays of the New Year, there was much talk about a political Movement in this city, or what is usually called a *pronunciamiento* in favour of Federation, which, I have no doubt, gave the Govmt. some uneasiness. Whether this was to depend upon the success of Canales, or upon some movement upon the part of Sr. Anna, I know not, but it is now deferr'd, probably until some more favourable moment.

It was about the same time currently reported and believed that some movement was also contemplated intended to bring forward St. Anna again, and place him at the head of affairs. He was suddenly taken ill, and his physician advised him to change his climate for that of Tacubaya; and was more than once reported, on this way, up to the city. He has since asked for his passports for Columbia, which have been promptly granted by the Govmt. etc; but this is merely one of his *Ruse de Guerre*, to feel the public pulse; as it is believed, he has no idea of leaving the country at all. This also served as an annoyance to the Govmt., and perhaps further induced them to adopt the measures already referred to in order to secure themselves in their posts. They are now apparently relieved from these immediate apprehensions, and emboldened, probably by the defeat (as they call it) of Canales, or his non success at the outset, and having, as I apprehend, recently been successful in gaining over to the support of Govmt. and its measures some doubtful members of Congress, they appear disposed to curtail the liberty of the press,

and abridge the rights and privileges of the people, the latter to resist any change that may thereafter be attempted, as above intimated. As regards Canales, the Govmt. have recd. and published official advices of his defeat, which is stated to be a serious one; but it is not credited in general. Doubtless there has been a skirmishing and some loss, and Canales has retreated, but was not pursued. The truth of this affair remains to be told; but there is no doubt that the Govmt. forces, destined to meet him, are superior in numbers, and amply sufficient to keep him in check, probably for some time to come. An other topic has recently been started here, and doubtless will have some bearing (perhaps an important one) on the T's^a question; which I will refer to, that You may have a full view of the general state of things, as my object is to throw all the light I can on my own future prospects, *yet*, I regret to say, *in doubt*. The Presidt. in his message to Congress expresses Surprize at the acknowledgement of your Independence on the part of France; and it has excited considerable conversation. It is now thought that this Govmt. will avail of this act of the french govmt. as a pretext for not carrying out the pending stipulations of their late treaty, and that new difficulties may possibly ensue between the two powers. A call has already been made in the Senate for the production of the french treaty, which has not been presented to congress, nor has it been published. The opposition press in France oppose the treaty of Recognition of Texas, on the ground that it will give offence to Mexico and place in jeopardy the french commercial interests here, which, they say, are really more important than those acquired from Texas by recognition. This Govmt. [are] thus furnished with arguments to suit the purposes, if they are unwise enough, to carry forward the plan, as they now seem at least inclined to do. The new french Minister is expected dayly, and has been for some time. The call for the french treaty in the Senate will also bring out the Texas question, in that body, and will be availed of, *incidentally*, for that purpose by those in favour of an arrangement with Texas. As regards the fact (which I informed you I had under investigation) whether there was any, and if any, what conditions giving to the bond holders any lien, or hypothecation of lands in Texas, or the proceeds of sale, or session; I have to observe that the result of my information is not complete. The facts ascertained are these: Congress authorized the Govmt. (Executive) to close the arrangement as they might think proper. Govmt. sent forward the instructions to their Minister and the Lizardi's, or, what is the same thing, ratified the propositions, which were before the Govmt. for its consideration, and sent it forward the last of July, or 1st of Augt.

^a Texas.

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No publicity was here given to the conditions of the arrangement, and hence the difficulty of ascertaining under what stipulations the Matter was finally closed. I have however further ascertained from a good Source, that this Govmt. reserved itself on the question at issue, at the time they acted on the Subject as above. Whether they have since ceded the question, or the reserved point, or refused it, or whether, without waiting for any decision on this head, the bond holders closed under the remaining stipulations, remain to be ascertained; but I am advised that the arrangement was concluded in London between the parties, some time in September, and the fact published on change on the 1th. Octbr. The Engl. packet, now due, and which will bring us London dates to 15th. November, will bring the whole arrangement, which they would publish forthwith; and I shall then know precisely how the Matter Stands, as I consider it important, and [it] may have some bearing, as regards my interview with Mr. Packenham. With Mr. Ellis, the *Am. Minister*, I am on friendly, and visiting terms; but not a word has passed between us on the subject of my visit here. I am Satisfied that he will not open the topic, and as I am also convinced that no good would result from my broaching the matter to him, I have been, and probably shall continue to be entirely silent. He undoubtedly knows my objects here from letters transmitted him through me from Gen. Dunlap, one of which made known my character; but I infer that his own position, or the interests of his Govmt., as regards the pending convention of indemnity, prevents him from acting in any way. Perhaps it is quite as well so as otherwise, since no good would probably come from a different course, had it been adopted. I have stood aloof from Mr. Packenham since my last for the reasons already given you in my former communications; and also in the hope of receiving some advices and perhaps instructions from you touching this matter, and further in the expectation of knowing whether this Govmt. has yet accepted the mediation of England.

My papers for the Secretary of State, as mentioned in my last, are now prepared for copying, and I only await the issue of some pending matters which I consider may have an important bearing on the reception of my preliminary communication to present them. This will occur probably within a week, or ten days at farthest, when I will again write. I have thus given you, my dear Sir, a general synopsis of the state of things which now exist here, as near as I can ascertain them, all which altho' it may not be apparent at first view, have had, and still have an important bearing on my objects, and effect the measures I should adopt to secure all the possible chances of ulterior success. The obstacles have been, and still are, as You will readily infer, numerous; and I have delayed my direct

application, that they might be overcome or neutralized, either by time and circumstances, or by my own measures and efforts, and those of my friends here. In adopting this course, I have considered it my best policy not to hazard too much by an immediate and direct movement, when the result would have been, probably, unfavorable, and the door might be closed against my final application; but have deemed it more prudent and advantageous to the interests of Texas to prolong, for a short time at least, the uncertainty of my mission, while I could not lose any thing by the delay, but might greatly increase the probabilities of success. An other consideration of considerable magnitude has not been without its due weight, *viz.* expected communications from your Govmt., which I have been anxiously looking for during several weeks past: for, considering the return to the seat of Govmt. of Gen. Hamilton and Henderson, and also, since (I suppose) of Mr. Birnley, the opening of your Congress (and ere this, the close probably of the Session) the knowledge on the part of the Executive of the exact position of things in Europe as regards Texas, and the prospects of effecting the loan, all which will appear by the full and ample reports of your agents; I say, considering all these circumstances, I have thought myself justified in expecting from Govt. advices communicating a change of its views, if any had taken place, or confirming its wishes and instructions as given me So long since as August last; and more especially, since Gen. Hamilton's advices, as communicated to me from New Orleans, and before adverted to, recommend a course not contemplated by Govmt. when I received its commands, and therefore not provided for in my instructions, *viz.* to Secure, by all means, the Mediation of Gt Britain, even without any detailed stipulations, and negotiate the arrangement in London. It cannot be doubted but Gen. Hamilton had what he deemed good and sufficient reasons for his urgent request or recommendation, and would place his views before the Govmt. I have therefore considered that beyond all question, I should be advised and instructed in relation to this branch of my duty.

It is now 60 days since Gen. H. left N. Orleans, and 30 days since he expected to be in N. O. on his way north, and our latest dates now from New Orleans direct are 60 days old, so that it seems to me, at least, impossible that I should not have despatches from you on the way; and they must be near at hand. These I have been, and still continue to be very anxious to receive, as they may, and almost necessarily must, throw Some light on the Subject by the further views of Govmt. or by a confirmation of their former wishes and instructions. *Again*, advices from Govmt. would, so far, apprise me of the condition of things, that I should at least know whether the position of the country or policy of Govmt. was such that I should

best consult its wishes and interests while the question could be kept at once. This would or might do things at home and abroad, and may have undergone some changes which are possible, as I am advised of State since the *postscript* to my and my private Letters, are of the 10th or 20th. of same Month from Gen. H. advised and I should abandon my post, so long as I am in a state of doubt and perplexity, which others, have had a tendency to do.

You here have, Sir, all the details it You will be able to form your own mind. These details, or rather the substance now given, as much to rectify any errors given you in my previous advices and conclusions on your part, as to provide your information and Govmt.

My object has already been to inform you of the information I acquire, and my views on the facts as I can best ascertain; but with all my precautions, particularly in this country, where nothing almost comes through so unweighed and sifted very Scrupulously, it is inevitable that errors will occur. It has not been the course I have pursued that I have delayed too long my direct communications and statements contained in this despatch, at least to induce you to clear up this point more satisfactorily) but only on your frequent advices, and if there is any communication with N. Orleans or Havana, tho' the remedy is not within the power of this despatch (quite too late) to my extreme anxiety to know the result of every thing of moment which is a matter committed to my management. In the absence of advices from Govmt. I beg you will excuse any want of precision in this letter, and also its execution.

* This doubtless means the letter.

best consult its wishes and interests by procrastinating a final issue, while the question could be kept open, or by accelerating a decision at once. This would or might, depend on the present condition of things at home and abroad, and the ulterior policy of Gvmt., which may have undergone some change. I cannot anticipate these events, which are possible, as I am without any advices from the department of State since the *postscript* to my instructions^a recd. in N. York, and my private Letters, are only to 8th. Novr. from Texas, and 18th. or 20th. of same Month from New Orleans. I however recollect how strongly Gen. H. advised and urged that I should hold on and not abandon my post, so long as I could retain it. Hence, another cause of doubt and perplexity, which, in conjunction with the various others, have had a tendency to delay direct action.

You here have, Sir, all the data I can now furnish you, and from it You will be able to form your own opinion of the probable result. These details, or rather the summing up of my present position, is now given, as much to rectify any opinions or impressions I may have given you in my previous advices calculated to induce erroneous conclusions on your part, as to place every thing in its true light, for your information and Govmt.

My object has already been, and is now, to give you the information I acquire, and my views and movements with due regard to the facts as I can best ascertain them and their legitimate inferences; but with all my precautions, discrepancies will occur, and more particularly in this country and on so delicate a topic, where everything almost comes through other channels, and it is always to be weighed and sifted very Scrupulously. Hence errors of opinion must inevitably occur. It has not been my object in this letter to justify the course I have pursued thus far, but, should it be thought that I have delayed too long my direct intercourse with the Gvmt., the facts and statements contained in this letter may serve, if not for my justification, at least to induce a suspension of such oppinions until I can clear up this point more fully (and which I trust I can do satisfactorily) but only on personal interview. I shall continue my frequent advices, and if they are retarded for want of communication with N. Orleans or Havana as heretofore, I shall much regret it, tho' the remedy is not within my reach. Pardon the extreme length of this despatch (quite too long and tedious, I fear) and attribute it to my extreme anxiety to keep you fully and even minutely advised of every thing of moment which occurs here and effects the important matter committed to my management. I regrett very much the absence of advices from Govmt. and hope soon to receive them. I beg you will excuse any want of clearness in the matter of this letter, and also its execution. It has been written while indisposed, and

^a This doubtless means the letter he had from Burnet dated August 19, 1839.

at intervalls, and has been very hastily copied, *also at intervals*, and during the evening. I therefor beg your indulgence. I have to make now my copies and duplicates myself, and writing is very painful to me on account of my chest, which is weak and much affected by this very singular Climate. Hoping this will find you, my dear General, in perfect health, and the country in a quiet and flourishing condition

I am with great respect, and the highest consideration
Your Obt and Hble Servant

signed JAMES TREAT

P. S. January 20th. The duplicates referd. to at the commencement of this letter will not go under same envelope as *this* communication, but separately: both however will take the Same chance for conveyance—either via. N. O. or Havana, and they will both reach you at the same time and I hope Soon.

I wish to add one or two brief items, but my letter is already so long, and my time is short. So I will omitt any additional Remarks here, and promise my self the pleasure of again addressing you within a very few days.

Meantime pardon haste, and believe me very respfy.
Yours etc.

signed JAMES TREAT

TREAT TO LAMAR*

[Confidential]

MY DEAR SIR.

MEXICO *January 22d, 1840.*

I last had this pleasure under date of 18th. inst. with P. S of 20th to which I beg reference, tho' you will find it long and tedious. I sent it to V. Cruz, and presume *this* will find it there, and *thus* both will go forward together pr Sloop of War Erie for *Balize* or *Pensacola*. I will *first* add a few remarks, which may be of interest in connection with my last, which had for its object to Shew You *how* I was *then situated*, or rather *how*, many *obstacles* I had, to *remove* or *overcome*. It is Stated (and I have been so informed specially by a friend) that the *Spanish Minister*, possesses great influence with this Govmt. and that I cannot succeed without his concurrence or co-operation. This gentleman, Senor Calderon de la Barca, was recently the Representative of Spain in the U. States and arrived here *about* a month since from the Havana *via*. N. York, and was received with

* A. L. S.

unusual honors. This *great* probably *not* to the Extent

Gen. St. Anna *also may* *may*, Should he hear, that *cause something* to appear *frighten* the President and *thing from this quarter*.

If *entire confidence* could be *ral Tornel*, but he is looked *ousy* as his master. *Tornel* very *Especialy*, but I have *or Almonte* would, if they *operate against my negotiatio* *after*, and if *needful* I will *d*

Since my last, I have been *soon* as the French Minister *Mr. De Lisle*, will leave in *V. Cruz*, and which was *sent* *tion*, and he is directed to *o* *ceed hence*, that is, from *V. Cruz*

Lisle will leave, will depend *write by him, of course* and *this as confidential*. I have *and taken all the precautions* *anticipate* that I shall be *in* *address him my preliminary* *and my character*, and *solicit*

So that I feel as if I was *which at one moment* I ever *through the introduction*, *which of course* I will *acced*

I my choice, I would go *al* *ear of Cañedo*, Secy of *Sta* *must be Very circumspect* *as Cañedo*, for altho' I have *him very friendly courteous*

I could say as *much* in *re* *against me*. But rest assured *I will make the most of my*

I Remain, Sir, with great
Your obt Servant

Gen. M. B. LAMAR.
Texas.

unusual honors. This great influence may be true in some degree; probably not to the extent above, Stated.

Gen. St. Anna *also* may stand in the way of a recognition, as he *may*, Should he hear, that the Govmt. are in treaty on this subject, cause *something* to appear in some of his *devoted* prints which may *frighten* the President and his Cabinet, *now* easily alarmed at any thing from *this quarter*. This difficulty, I might *perhaps* overcome, If *entire confidence* could be placed in his friend here, who is *General Tornel*, but *he* is looked upon by the Govmt. with as much *jealousy* as his master. *Tornel* has called on me and tenderd. *his services* very *Especialy*, but I have *not* returned his call, as the Secy of State or Almonte would, if they knew it, draw *Such inferences* as would operate *against* my *negotiations*. I *may* see him *very privately* hereafter, and *if needful* I *will* do so.

Since my last, I have been informd. from a *good Source* that, as soon as the French Minister arrives, the present Chargé. d'Affaires, Mr. *De Lisle*, will leave in a Brig of War, now under his orders at V. Cruz, and which was sent by the Commodore of the Havana Station, and he is directed to *call in, and see you*, and will therefore proceed *hence, that is, from V. Cruz*, direct for Galveston. When Mr. De Lisle will leave, will depend on the arrival of his successor. I will write by him, *of course* and send a file of papers. *Please consider this as confidential*. I have now made all my *preliminary movements* and taken all the *precautions* deemed necessary, and to *morrow* I anticipate that I shall be informed by the Secy. of State *that* I can address him *my preliminary* communication announcing my *arrival* and my *character*, and soliciting an *audience*.

So that I feel as if I was on the point of gaining the *first step*; which at *one moment* I even thought *doubtful*. I may have to go through the introduction, perhaps intervention, of Mr. Pakenham; which *of course* I will *accede to*, if it comes in *that shape*, though, had I *my choice*, I would go *alone*. I think *now* I am certain to get the ear of Cañedo, Secy of State; and *ifso*, I am satisfied that, while I must be Very circumspect officially, I can say *any thing* I wish to him as *Cañedo*, for altho' I have *not yet* seen him, I am sure I shall find him very friendly courteous, and frank *personally* with me. I *wish* I could say as *much* in regard to Sr. Almonte. I fear *he* will be *against me*. But rest assured, my *dear Sir*, when I *once get started*, I will make the *most* of my *position*.

I Remain, Sir, with great respect and the Highest consideration,
Your obt Servant

JAMES TREAT

Gen. M. B. LAMAR.

Texas.