

MOORE TO PAKENHAM.^a

[Inclosing Moore to Treat, August 25, 1840, for delivery to Treat.]

MOORE TO LAMAR.^b

[Private]

TEXAS SLOOP WAR *AUSTIN*
At Sea 28th August 1840
 Latitude 25° 20' N
 Longitude 96° 30' W

His Excellency

M. B. LAMAR

President of the Republic
of Texas

DEAR SIR

I send by the same Vessel that takes this to Galveston a letter to you and two to the Honble A. S. Lipscomb from Mr. Treat our Agent in Mexico; also a full report to the Honble the Secretary of the Navy of my movements since the 22d July at which time I last wrote, with copies of a letter received from Mr. Treat and my reply.

By reference to my report you will see the disposition of the Federalists of Yucatan towards the Government of Texas and their anxiety for the cooperation of our Naval force; the weight of which, thrown at this time on their side would, I feel confident, be the means of establishing the Federal Constitution throughout Mexico, when we would be acknowledged at once.

The Centralists are allmost prostrate, and single handed with the means already at your Command (the Navy) you might, without the least prospect of being molested by them on the Frontier, dictate to, and no longer *ask* at their hands, that which they can be very soon made to *feel* is ours already, viz our perfect Independence of them; and in my humble opinion they will never acknowledge it until they are made to *feel* it.

With the Navy manned as indifferently as it is, every Mexican Vessel can be captured that dare put to sea, and their whole Sea Coast be kept in a perfect state of fear and trembling; why then should we temporize any longer with them, when, if they had the power they would annihilate every male Inhabitant of Texas and spread devastation and ruin throughout our devoted Country.

^aAugust 25, 1840.^bA. L. S.

You may keep *Treating* with them until the expiration of your administration and will, in all probability leave for your successor, whoever he may be, to reap all the advantages of your efforts; now is the time to push them for they never were so prostrate!

I Remain

With great Regard
Your Obt Sevt

E. W. MOORE

MOORE TO LIPSCOMB.^a

28th. August 1840

TEXAS SLOOP OF WAR AUSTIN

At Sea Lat 25 05 N

Long 96 34 W

SIR

I recieved on the morning of the 25th inst a communication from Mr. James Treat bearing date 21st Aug and enclosing two letters to you and one to his Excellency the President, which are herewith enclosed, together with a Copy of Mr. Treat's letter and a Copy of my reply which I wrote immediately and put on-board the San Bernard to be sent in by the first opportunity and made sail at once in the direction of Galveston on my way to the Brazos De Santiago, with the San Jacinto in company intending so soon as my despatches are all written to send her on with them and meet me again off Point Mariandrea.

From the tenor of Mr. Treat's letter I am under the full conviction that we will *never* bring the Mexican Government to terms by *Treating*; backed even as we are, and as they are now assured by Mr Treat that our Vessels will not molest theirs, so long as his negotiations are "open" and "pending" they will of course keep them so as long as they can possibly find a pretext, and it will not be long before their Vessels will be running by ours, and they on board laughing at us.

To obviate the difficulty that Mr Treat is labouring under in sending his despatches out, if his negotiations are still to be kept "open" and "pending" I would most respectfully suggest that I may be permitted to Cruize off and close to the Castle of St Juan de Ulloa; and board every Vessel, not Mexican, that sails from Vera-Cruz; by this course Mr. Treat would not have much, if any difficulty, in getting Capts of merchant Vessels to take charge of a letter for me as the Mexican Authorities could not possibly know by what Vessel I received a communication; and in the event of his negotiation being broken off, which I hope will be the case soon unless we are at once

^a A. L. S.

recognized, Mr. Treat could not having to pull more than

With all due deference, I opinion that we have tempo see that we really are in annoying their Sea Coast; wh least some extent, I cannot to terms. I have no faith is can be forced to keep them is strong proff of this posit

By my report to the Hon also by the San Jacinto, you of Yucatan are, or profess to are open to any Texan Ven ation of our Naval force.

At all events I hope some Congress and our present hausted. The fate of our li

I have the honor to b

Very Respecta

Your G

To

The Honble

ABNER S. LEWIS

Secy of

MEMORANDUM COMMUNICATED

SIR.

Under date of the 21th which is already on its way my Position, and inclosed had under date of the (duplicate of which I had

^a September 5, 1840.

^bA. L. S.

recognized, Mr. Treat could easily get on board of one of the Vessels, not having to pull more than four or five miles.

With all due deference, I cannot refrain from the expression of the opinion that we have temporized too long already; and if we let them see that we really are in earnest, by capturing their Vessels and annoying their Sea Coast; which we can do with our Naval force, to at least some extent, I cannot but believe that they will very soon come to terms. I have no faith in their promises, unless they *feel* that they can be forced to keep them;—The whole history of their negotiations is strong proff of this position.

By my report to the Honble the Secretary of the Navy which goes also by the San Jacinto, you will see that the Authorities of the State of Yucatan are, or profess to be our Friends; at all events their Ports are open to any Texan Vessel and they are anxious for the co-operation of our Naval force.

At all events I hope something will be done before the meeting of Congress and our present supply of Provisions and Stores are exhausted. The fate of our little Navy depends on the issue.

I have the honor to be

Very Respectfully

Your Obt Servt

E W. MOORE

Comdg Texas Navy

To

The Honble

ARNER S. LIPSCOMB

Secy of State

Austin Texas

MEMORANDUM COMMUNICATED BY TREAT TO THE PRESIDENT OF
MEXICO.^a

TREAT TO LIPSCOMB.^b

[Confidential.]

MEXICO *September 7th. 1840.*

SIR.

Under date of the 21th. Ult. I last had this pleasure, *duplicate* of which is already on its way. I then had the honor to inform You of my Position, and inclosed you a Copy of a Memorandum, which I had under date of the 19th. of August, submitted to this Gvmt. (*duplicate of which I hand You herewith*) and also a Copy of a

^a September 5, 1840. See Treat to Lipscomb, September 7, 1840.

^bA. L. S.

letter, which I addressed to Commodore Moore, *to all which* I beg leave to refer the Department and the President.

The letter to the Commodore, I have good reason to think, reached him very luckily on the 24th. Ulto.; but as yet I have no reply from him, the Squadron having disappeared from Va. Cruz on the 26th. I also sent the Commodore despatches for your Department, and for the President, supposing he might soon be sending in one of his Vessels; and some *other despatches* in *Duplicate* were forwarded at the same time, *Via Havana*. The *Kanhawa*, which sailed from Va. Cz. for New Orleans, changed her voyage *suddenly*, and departed, before I had time to *avail of her*. No foreign Merchant Vessels had arived at Va. Cz., at last advises, since the 24th.; but the first arrival that we have I hope will bring me a letter from the Commodore, which will be most welcome, as I am entirely ignorant of his present and future movements, which, as I am now Situated, I should like much to know.

A brief Sketch of Events which interest and relate to my Mission will suffice for this Communication.

The Extraordinary *Powers* on which the Government relied to strengthen themselves failed in the Senate, and the Cabinet, rather than resign, as they said they would, have modified their application for an Extension of Powers, in a New and double form, viz: those that Congress have power to grant, they ask from that body; and those beyond their province, are asked of the conservative power. This question is still pending, and the general opinion, in and out of Congress, is that both branches of the powers will pass both Houses of Congress, but that the Conservative power will refuse to accede, *on its part*, to the call of Government supported by Congress. However, with the additional powers they will receive from Congress, without the others refered to, the Gvmt. will go on, and Ministers hold their places, at least for the present. Among these last powers is one authorizing gvmnt. to borrow the Sum of *Six million of Dollars* to preserve the integrity of the National territory; to *reorganize a Navy*, on the basis of the project submitted by the Secretary of War some time since (of which I have already advised the Gvmt., in a former dispatch) and for other purposes.

The project of Almonte to raise *ways and means*, to carry on the War by a direct contribution [which was] presented to the Chambers in December last, and after great delay and many amendments passed the Deputies and went to the Senate, where I supposed, after three Months delay, it would sleep forever, has been revived and passed that Body.

The advices from the frontier are all more or less indicative of preparations, and the proclamation and decree of the Authorities of Sante Fé, Shew, that even they are expecting an invasion from Texas.

Since the appearance of the *Vera Cruz*, several of the *ships* against Texas, and urging against Texas by providing

The official paper has *been* ever on the subject until several Articles of an unfri

The Secretary took it *was* visited Campeche, and pret~~er~~ insincerity and bad faith of indisposed many persons, with Ts.

The Secretary also *comp* proved (as he insisted—) Schooners, by the sworn *d* Coaster, from whom had *be* three or four hundred pound I discovered that much *Stre* mainly, as I thought, to *just* urging the main Question *de* decision.

The Secretary, neverthe had gone to the Chambers Affairs, and that Said *Co* which Gvmt, would *acceler* these assurances were *not* that Either Gvmt. did *not* Texas at all; or, not until to bring the matter to a *per* remain no longer in the *per* obtain Satisfactory Assur any yet given me, that *per* Seriously, and proceed to *per* Memorandum, dated 5th. day, a Copy of which *ple*

This will go to Cong whether the Committee they will recommend. *per* me any Assurances which 20th. I shall ask for my

As regards that *bran* Armistice, from the *mor* wishes on this point, I *ce* and there was an entire *o* To wit: that my policy *w*

Since the appearance of the whole of the Squadron in Sight of Vera Cruz, several of the leading Journals are filled with abuse against Texas, and urging the Gvmt. to prepare for hostilities against Texas by providing for a Navy and increasing the Army.

The official paper has abstained from publishing any thing whatever on the subject until very recently, when it has republished several Articles of an unfriendly character.

The Secretary took it much *in dudgeon* that Com: Moore had visited Campeche, and pretended that it was sufficient evidence of the insincerity and bad faith of Your Gvmt., and asserted that it had indisposed many persons, who were inclined to some arrangement with Ts.

The Secretary also complained very bitterly of the *Robbery*, proved (as he insisted—) to have been committed by one of our Schooners, by the sworn declaration of the Capt. of a Mexican Coaster, from whom had been taken a demijohn of Brandy, some three or four hundred pounds of brown Sugar, and some vegetables. I discovered that much Stress was laid upon these circumstances, but mainly, as I thought, to justify further delay on the part of Gvmt. in urging the main Question submitted to Congress to some prompt desision.

The Secretary, nevertheless, assured me that my *Memorandum* had gone to the Chambers, and thence to the Committee on Texian Affairs, and that Said Committee were occupied with their report, which Gvmt. would accelerate all it could. I soon ascertained that these assurances were *not true*, and came at once to the conclusion that Either Gvmt. did not intend to bring forward the question of Texas *at all*; or, not until it Suited their purpose; and I resolved to bring the matter to a point, and made up my mind that I would remain no longer in the prosecution of my Mission, unless I could obtain Satisfactory Assurance, and of a more *formal character* than any yet given me, that Gvmt. would *at once* take up the Matter *Seriously*, and proceed to a friendly negotiation. Hence my *second Memorandum*, dated 5th. Inst. and delivered to the Secretary this day, a *Copy of which please find herewith*.

This will go to Congress forthwith, and it remains to be seen whether the Committee will report before the 18th. inst., and what they will recommend. My *impression* is that Gvmt. will not give me *any Assurances* which I shall deem *satisfactory*, and that by the 20th. I shall ask for my Passport.

As regards that branch of your instructions which authorizes an Armistice, from the moment I came in possession of the Presidents wishes on this point, I confereed fully and freely with Mr. Pakenham, and there was an entire concurrence of opinion on the whole Subject. To wit: that my policy was to carry through, and to *some final issue*

my present pending Negotiations, before presenting to the Gvmt. his alternative or Option.

They having refused to listen to my propositions for Peace, Recognition, Indemnity, etc., and pending my Passport, then Mr Pakenham, *as if at his own Suggestion*, in expressing his regret at the Consequences that must ensue from a State of active hostilities, will Suggest, as the *only* possible way *now* to avoid them, a *proposal of Armistice* to me, and thus, by way of an apparent Suggestion of his own for their benefit and consideration, introduce the proposition of an Armistice, which Mr Pm. will Strongly recommend and enforce.

It was thought by Us both that, if the proposal came *from me*, it would be almost certain to be rejected *without due Consideration*. It is therefore my intention to adopt the course, So Soon as I can bring the other Matter to a point; and if the Gvmt. entertain the question of a Truce at all, I shall meet the question, and I imagine it will not require long to arrange the matter; and if they decline it *altogether*, I shall take my leave *immediately*.

I shall proceed to Vera Cruz, and then to New Orls. *direct*, if oppty presents and if not *Via Havana* or Pensacola. Should I not find any instructions from your Department at *New Orleans*, I shall proceed *forthwith* to Galveston, where I shall hope to find a Communication from You expressive of the wishes of the President as regards myself. Should I be able to meet any of the Vessels of the Squadron, I might be landed *direct* at Galveston. I shall endeavour to see Commodore Moore, should he be anywhere within my reach, or make Every Effort to get a letter to him.

Again referring the President and Department to the papers herein enclosed:

I have the honor to be with great Respect, and the highest Consid.
Your Most obt Servant.

To

ABNER S. LIPSCOMB
Secretary of State
Texas

JAMES TREAT.

Duplicate Copy.

Memorandum

The Confidential Agent and Special Commissioner of the Government of Texas *once more* begs leave, most respectfully, to address the Government of Mexico on the Subject of his friendly Mission, as he deems it his paramount duty to endeavour, so far as possible, to remove any wrong impressions, which may have been produced by recent events.

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The Agent to the Com cruise in the President, termination that these charge of in The Agent Squadron to of Mexico, into, and if to the Com ties of Yuc right to do Mexico.

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In the first place, the agent begs leave to refer to his *Memorandum* dated the 19th. Ultimo, transmitted through the Hon. Richard Pakenham, and now has the honor to State, *in all good faith* and with entire frankness and directness of purpose, [it] is not less true now, in any one respect. The Agent understands that this paper has been placed before the Chamber of Deputies for their Consideration, when the subject is presented for discussion.

The Agent is unwilling to believe that any of the acts attributed to the Commanders of the Texian Vessels of War now on a pacific cruize in the Gulf should have produced in the minds of H. E. the President, or his Cabinet, any change, unfavorable to an amicable termination of existing differences, and much less can he suppose that these occurrences can, for a moment, be made the basis of a charge of insincerity or bad faith against the Government of Texas. The Agent cannot perceive why a friendly and neutral Visit of the Squadron to Campeche should give rise to any complaint on the part of Mexico, as it does not appear that any arrangement was entered into, and if a friendly, and even flattering [welcome] was extended to the Commodore, and his flag saluted, this was done by the authorities of Yucatan! Hence Texas has done no more than She had a right to do, without at all affecting her friendly negotiations with Mexico.

As regards the charge against the Captain of one of the Texian Schooners, as stated in the declaration of the Captain of a Mexican Coasting Vessel, that some Brandy and Sugar was taken from his Vessel, the Agent regrets to say, that this charge *may be true*, and yet he is strongly inclined to believe that, if Compensation was not received, it was *offered and refused*. But, admitting the entire truth of the above named declaration, while the act must be admitted by all to merit the most severe reprehension, yet it would not be just nor reasonable to inculcate the Government of Texas, in a matter so insignificant in itself, and so remote from all its recent acts towards Mexico.

If the charge be true, the punishment of the officer Committing this Violation of his instructions or his duty; the restoration of the Value of the property, and satisfactory explanation to the Government of Mexico, is certainly, *all* that any Government could require, or expect from an offence by a mere Subaltern, committed in the absence of his Superior Officer. This satisfaction and redress, the Agent pledges himself, the Government of Texas will be prompt to make, *should the charge be substantiated*.

Besides, the general instructions, under which it is now fully shown, (with the only exception of this alleged offence) that Commodore Moore has acted up to the present time, viz. Not to make any captures, nor commit any act of hostility against Mexico so long

as negotiations were pending in *Mexico*, precludes the possibility that the Government of Texas should approve the act alluded to, and *much less*, that it should have authorized it.

The Agent, therefore hopes and believes that these circumstances will not in any degree lessen or destroy any favorable disposition which may have previously existed on the part of the Government, or the Congress of Mexico, to listen to the propositions which the Government of Texas, through its Agent, has authorized to be made; and FINALLY that the Government of Mexico should now determine whether the result of several years pacific and friendly policy, and one years earnest and constant solicitation for an amicable arrangement on the part of Texas, should *at last* result in a renewal of hostilities.

If so, the Agent of Texas must, on behalf of that Government protest against any and all responsibility on its part for the Consequences and evils which may ensue from a State of things, which She has so constantly and so earnestly sought to avert.

Texas, in this *sad* and *undesired event*, will await the VERDICT of an impartial World, in the *almost certainty* of an entire justification.

The Agent would not omit to observe that he has seen with regret, and duly considered, the situation of the Capital during the latter part of the Month of July, and the Consequent embarrassment and difficulty which the Government has since had to contend with in the despatch of public business. At the same time, however, the Agent is compelled to say that he has very nearly exhausted all the discretion which the Government of Texas has granted him, as regards prolonging his Stay in Mexico, and especially *since up to the present moment* he has not been officially authorized, to make a single declaration of a favorable character to that Government.

The Government of Mexico have said they would hear *any Agent from Texas*, before any one appeared; and it is now nearly *Nine Months* since the present Agent arrived in Mexico, without yet having obtained an official hearing.

He sees with regret that measures preparatory for an invasion of Texas are every where advocated, and that the Legislation of Congress tends clearly to the supposition that hostilities are preparing against that Country.

In view then of all the declarations and assurances which the Agent has herein and heretofore made, in writing or verbally, through the friendly interposition of the British Minister and in *further* view of the actual position and present aspect of the questions involved in his Mission, the Agent is compelled, however reluctantly, to State that he hopes and expects that *on* or before the 18th inst. H. E. the President will be enabled to give some official or formal assurance of the final determination of this Government as

regards the object of his actual intentions of the amicable Negotiation. *On* imperative duty to ask and draw from his Mission.

The Agent respectfully before the Hon the Chamber be annexed to the annex subject.

The Agent, through the most respectfully submitted of the Republic of MEXICO September 5th

TO JAMES TREAT Esqr
SIR,

I have the honor to of the 11th to 21st Aug Moore, all of which he dent. And I have the proves the course you this reaches you, that, result, of your negoti and you should disco Government to interp legitimate action, and will on such a contin explicit and definitive Agency to a close.

One of our vessels of the purpose of convey able to effect the arra openly communicate correspondence with the terms, on which event we shall expect have to avail yourself forwarding your des

* See Records of

regards the object of his Mission, which may satisfy him of the actual intentions of the Government to enter *forthwith* upon an amicable Negotiation. *Otherwise*, the Agent will *then* deem it his imperative duty to ask most *respectfully* for his passport, and withdraw from his Mission.

The Agent respectfully solicits that this exposition may be placed before the Hon the Chambers of Deputies *without delay*, that it may be annexed to the antecedent documents in relation to the same subject.

The Agent, through the Medium of the Hon. Richard Pakenham, most respectfully submits the foregoing remarks to H. E. the President of the Republic of Mexico for his *consideration* and *decision*.

MEXICO *September 5th 1840.*

LIPSCOMB TO TREAT.*

REPUBLIC OF TEXAS

DEPARTMENT OF STATE

September 15th 1840

TO JAMES TREAT ESQR

SIR,

I have the honor to acknowledge the Receipt of your despatches of the 11th to 21st August which came to hand, through Commodore Moore, all of which have been laid before his Excellency the President. And I have the satisfaction to assure you, that he fully approves the course you have adopted. I sincerely hope that before this reaches you, that, you may have been able to effect a favorable result, of your negotiation. If this, however should not be the case, and you should discover a disposition on the part of the Mexican Government to interpose unnecessary delay, not resulting from the legitimate action, and usages of their peculiar forms of business, you will on such a contingency, present the ultimatum by requiring an explicit and definitive action on your propositions, and bring your Agency to a close.

One of our vessels of War, will be ordered down to Vera Cruz, for the purpose of conveying to you this despatch, and should you be able to effect the arrangement referred to in your last, to remain and openly communicate with you, for the purpose of facilitating your correspondence with the Govt. You will inform the Commander of the terms, on which such arrangement has been made. And in that event we shall expect to hear from you very soon; if not, you will have to avail yourself of the best means that may be presented in forwarding your despatches. I understand from Commodore Moore,

* See Records of Department of State (Texas), Book 54, pp. 30-31.

that if a communication is permitted at all, that it would be best, that the vessels should lay off the Castle at Vera Cruz, some five miles, as affording more easy communication, than from the bay of Sacrificios.

I have the honor to be, with great respect
Your obdt Servt

ABNER S. LIPSCOMB
Secty of State.

AGENT OF TEXAS [TREAT] TO SECRETARY OF STATE OF MEXICO
[CAÑEDO].^a

MEMORANDUM FOR ARRANGEMENT OF AN ARMISTICE BETWEEN MEXICO
AND TEXAS.^b

CAÑEDO TO PAKENHAM.^c

TREAT TO LIPSCOMB.^d

[Private]

MEXICO *Sept. 29th, 1840.*

SIR.

In my last of the 7th inst. I apprized You of the Situation of my affairs here, and expressed a belief that, *after all*, I should effect no arrangement of *any kind* with this Gvmt. They are so weak and changeable, (independent of their *deceptions*, but very *Specious* assurances—) that it is very difficult to rely on anything whatever.

You will perceive, by the tenor of my last and the papers therein enclosed; (—viz., a dupl: Copy of a *Memorandum* dated 19th. Augt., to the Gvmt., and an origl. Copy of another *Memorandum* of the 5th. inst.—) the course I then proposed to adopt to close my mission.

I beg leave now to refer You to the papers herewith; say: a copy of my last of 7th. inst., dupl: Memorandum of paper sent to Govt., dated 5th. inst., and a Copy of my *last Note* demanding passport under date of 21th.^e inst.

These Documents will shew you, that the Gvmt. had declined *Entirely* my propositions for *Recognition*, coupled with an offer of

^a "Memorandum," dated September 21, 1840. See Treat to Lipscomb, September 29, 1840.

^b September 25, 1840. See Treat to Lipscomb, September 29, 1840.

^c September 26, 1840. See Vitalba to Lamar, December 8, 1840.

^d A. L. S.

^e Entitled a "Memorandum."

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indemnity for certain limits,^a to be hereafter fixed, the particulars of which I must omit for a future day.

Pending the answer to my note of 21st. inst, Mr Pakenham took occasion to suggest the idea of an armistice to Mr. Cañedo, the Secretary of State, as the only means *then left* to avoid a conflict with Texas, and after some Conversation, it was understood that if I had powers to arrange an armistice, and was disposed to do so, they would receive proposals, and act promptly upon them. I offered to *receive* any propositions that might be made touching the armistice, but declined *making* any *myself*, and the result was that Mr. Pakenham was authorized to present the proposals I should authorize him to make to this Gvmt. I prepared a paper in accordance with the Views of Mr. Pakenham, which he presented,—(see Copy herewith dated 25th. inst—) and it was laid by the Secretary of State before the President and Ministers and there discussed at two or more Sessions of the Cabinet, without authorizing the Secretary of State to give me or Mr. Pakenham any specific answer; and thus matters stood until this day, when the Secretary of State delivered to Mr Pakenham my Passport and an official Note referring to my Affairs, of which, as yet, I have no copy, but shall procure one, together with the other Correspondence, for the information and Satisfaction of the President and the Department. The Secretary of State had resolved to quit office the next day, and hence was willing and probably preferred to despatch my general Mission, in the way already stated, leaving the matter of the *Armistice* open and pending for his Successor. As it was *Entirely* useless, under the circumstances, to press the Matter with Mr. Cañedo, on the point of leaving office, Mr Pakenham called on Genl: Almonte, Secretary of War, and after some conversation Mr. Almonte assured Mr Pakenham that *he* was in favor of an Armistice, and had, and would continue to, advocate it, and, if I would give them more time, he thought, something could be accomplished. It was agreed that I would wait *eight days*, provided Mr. Almonte would take the Matter up in earnest, and endeavour to carry it through.

This then is the present position of Affairs; but I much doubt if any thing will grow out of it, as the Cabinet is falling to pieces gradually. A Mr Gutierrez Estrada, who was expected to succeed Mr. Cañedo, now declines, and the State Depart., will be turned over, ad interim, to the Minister of the Interior, *Mr Marin* who is a *Jesuit* and *fanatic*; and the only man who can do anything is Almonte, and whether he can *drag* the *President* and Such Colleagues into his Views, even were he so disposed, is a Matter to my mind very doubtful.

^a That is, boundaries.

I therefore presume I shall be on my way down to Va. Cruz by the 10th. or 15th. Octbr.

I have received despatches from Com: Moore, as late as 17th. inst., and Shall write him to-morrow in reply *by Dupl:* and inform him of the Extreme probability of my being down about the 15th inst., and that I hope to find one of his Vessels at the Rendezvous.

I send this, and enclosures cited to Com: Moore to forward as soon as oppty presents, altho' I deem it very uncertain whether it will reach him. If not, it will, *Via Havana* or *N Orls.* reach your Department.

If contrary to my Expectations, *any thing* favourable would result from the project of an armistice, I shall make the shortest possible work of it, and convey it to Texas to be submitted for ratification.

The fixing the *Rio Bravo del Norte* for the Military line of demarcation, they do not Seem *to like*, and I cannot see that *any other* can be assented to advantageously.

I have the honor, sir, to be, with the greatest respect, and consideration,

Your Most obdt and Hble Servt

JAMES TREAT

To Hon

A. S. LIPSCOMB

Secretary of State

Texas.

The notes referred to in this letter of dates 21st. and 25th. September, have not been received at the Dept. of State.*

Duplicate Copy.

"Memorandum."

The Confidential Agent, and Special Commissioner of the Government of Texas begs leave to address the Hon the Secretary of State, with the object of asking for his passport and Safe conduct to Vera Cruz, where he proposes to embark, so soon as opportunity presents.

The paper which the Agent last had the honour to present to the consideration of the Mexican Governmt. bearing date 5th. instant, as well also as the preceding one dated 19th. Ulto, exhibited very fully and frankly the position of the Agent, as regards the objects of his Mission, and announced the necessity of his proximate withdrawal from Mexico, pursuant to his instructions, Unless he could receive

*This note was made after the letter was received. It appears from the present condition of the files, that the "notes referred to" were both inclosed; but since each was disguised under the title "Memorandum," they were not identified.

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JAMES TREAT

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satisfactory assurances of the fixed determination of the Mexican Government to listen to, and act upon, the friendly overtures of the Govmt. of Texas.

The period named in the Agent's last Note having expired, without his having received any assurance whatever of the pacific Views of the Govmt. of Mexico towards Texas, or even of its disposition to entertain the subject in question, the Agent is compelled *very reluctantly* to adopt the Course which he proposed in his last named communication.

The Agent on this occasion is impelled to express his deep regret that after so long a Stay in the City of Mexico, he is obliged to abandon his friendly Mission, (which has already occupied *thrice* the period originally contemplated by the Governmt. of Texas) *not only* without having accomplished the pacific views and wishes of the President and Congress of Texas, for which the Agent was most fully authorized; but even without having been able to present officially, or *formally*, the propositions which he was authorized and instructed to make, or to convey a single act or declaration which indicates that Mexico ever desires a good understanding, or peaceable relations with Texas, *on any Terms*.

If the Agent retires disappointed at the fruitless result of all *his* efforts, how much More will the President of Texas and his constitutional advisers be Surprized to learn that after Nine Months mature deliberation and reflection, the Govmt. of Mexico have refused to hear the proposals of Peace and Amity preferred by the Government of an Ex-Colony to the Mother Country, for its Consideration.

The Agent, however, has digressed from the purpose, for which he craves the indulgent consideration of the Hon. the Secretary of State, inasmuch as the said Agent, having already and at length, Spread before the Governmt. and Congress of Mexico the objects and Views of the Governmt. he has the honor to represent, it would be quite superfluous *now* to enlarge upon the Subject.

The Agent takes it for granted that the Hon. the Secretary of State will have the goodness to furnish him, or, (if that be objectionable) the Hon Richard Pakenham, whose official and friendly interposition and good offices have been resorted to and freely rendered during the whole negotiation, with an official Communication, which will refer to (in such terms as the Hon the Secretary of State may deem most appropriate) the origin, progress, and termination of the Mission of the Said Agent to the Governmt of the Republic of Mexico.

The Agent begs leave to present to the Hon the Secretary of State his regard and consideration, and through H. E. to H. E. the President of the Republic his highest and most profound respects.

Mexico September 21st. 1840.

COPY.

Preliminary Memorandum, for the arrangement of an Armistice between Mexico and Texas.

1st. An Armistice, and entire suspension of hostilities, by Sea and Land.

2d. The Armistice to continue for three or four Years, and Six months previous notice to be given, by Either of the Parties, before its obligations can be cancelled.

3d. If any Mexican troops shall be found on the left side of the Rio Bravo del Norte, they shall forthwith return to the right side of Said River; and, if any Texian Troops shall be found on the right Side of Said River, to return forthwith to the left side; and it is further hereby agreed, that the Troops of neither of the Contracting parties shall repass the Said Rio Bravo during the continuance of the present Armistice.

4th. Both parties to engage to do all in their power to prevent Indian hostilities, on either side of said Rio Bravo del Norte.

Together with such other minor conditions and provisions, as may be necessary to carry the foregoing into full effect, and secure to both the Contracting parties all the advantages of a State of Peace, so long as this arrangement is binding.

This arrangement, if *concluded*, to be ratified by Mexico, and forwarded without delay to the Govmt. of Texas for its constitutional ratification and the Exchange of said Ratifications, as soon as practicable.

MEXICO *Sept*r 25th. 1840.

PAKENHAM TO TREAT.^a

TREAT TO MOORE.^b

TREAT TO MOORE.^c

TREAT TO LIPSCOMB.^d

[Confidential.]

MEXICO *October 6th. 1840.*

SIR.

My last despatch of 29th. *Ulto*, with its Several enclosures, (all which accompany *this*) was prepared for the English Packet *via*

^a September 29, 1840. See Vitalba to Lamar, December 8, 1840.

^b September 30, 1840. See Vitalba to Lamar, December 8, 1840.

^c October 6, 1840. See Vitalba to Lamar, December 8, 1840.

^d A. L. S.

CORE

Havana, but the British *day* Until now, in consequence of Mr Pakenham and this Govt's efforts, has been finally settled by Mr P, and the *Courier*

About the Middle of the present Govmt. sundry matters arising, for final adjustment by the 29th *Sept*r they demand his passports. I am believed that every thing which was more or less insisted, when from Some *torily* his Passports, and the Govmt. and communication

Until Yesterday, the on the part of the Govt. Mr. P. who would not satisfy any of the Govmt. official demands; but the Ministers, and matters so far as Mr Pakenham

I have not been informed. I am Satisfied that the (Mr P's) demands, or

Of course this state of being, all progress as in Eight days, which has been days longer, to endeavor anticipated from Mr A. departure of the Packet and active co-operation the result.

I have advised the and by this Engl Packet and Government.

I wrote *Com. Moore* thought I should *soon* down *myself* by the *today*, but I have not him, and hence I have ment, but disposed of

* Hamilton

ce between Mexico and Texas.
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Havana, but the British *Cabinet Courier* has been detained *day by day* Until now, in consequence of a misunderstanding between Mr Pakenham and this Government, *which*, after several days doubtful efforts, has been finally settled in a manner entirely satisfactory to Mr P, and the *Courier* will leave in the morning.

About the Middle of September, Mr. Pakenham presented to this Govmt. sundry matters and claims, some of which were of long standing, for final adjustment and payment, and informed them *that* if by the 29th Sept^r they were not favourably disposed of, he should demand his passports. The 29th came, and it was very generally believed that every thing *was* adjusted, or in Course of Settlement, which was more or less true, *and* thus matters run on, until the 1st. inst, when from Some Unexpected difficulty, Mr P required *peremptorily* his Passports, and closed all intercourse on *his part* with the Govmt. and communication at the Palace.

Until Yesterday, the whole time has been taken Up in endeavours on the part of the Government to reconcile, and arrange matters with Mr. P. who would not withdraw his demand for passports, nor Visit any of the Govmt. offices, or Public Departments, pending his unsatisfied demands; but conferences were held, at the House of one of the Ministers, and matters finally have been satisfactorily arranged, so far as Mr Pakenham is concerned.

I have not been informed of the Merits of the Question *as yet*, but I am Satisfied that the Governmt. were compelled to Meet all his (Mr P's) demands, or he would have *insisted* on his *Passports*.

Of course this state of things has entirely Suspended, for the time being, all progress as regards my proposals for an Armistice and the Eight days, which have already elapsed, must be extended a few days longer, to endeavour to ascertain if anything can be reasonably anticipated from Mr Almontes promises. To morrow, after the departure of the Packet, Mr Pakenham has promised me his renewed and active co-operation, and I trust that in a few days I shall know the result.

I have advised the Commissioners in London ^a both Via N. York, and by this Engl Packet *direct* of my position for their information and Government.

I wrote *Com. Moore*, a few days since,^b informing him, that I thought I should soon know the *final* result, and that I might be down *myself* by the 10th. to the 15th inst. I shall write him again today, but I have not much confidence that either of them will reach him, *and hence* I have not sent *to him* despatches for your Department, but disposed of them through other channels.

^a Hamilton and Burnley.

^b September 30.

My next Communication may be from Vera Cruz, or I may be the bearer of it Myself, if I can find one of your Vessels at my disposal, as *I hope* I may.

Pardon the haste with which I have the Honor to subscribe myself, with

the highest Consideration
Your Mo. obt Servant.

JAMES TREAT.

To the Hon
ABNER S. LIPSCOMB
Secy of State
Texas.

TREAT TO PAKENHAM.^a

TREAT TO PAKENHAM.^b

TREAT TO PAKENHAM.^c

PAKENHAM TO TREAT.^d

PAKENHAM TO TREAT.^e

MOORE TO SAYAS.^f

SAYAS TO MOORE.^g

WRIGHT TO BEE.^h

^a October 10, 1840. See Vitalba to Lamar, December 8, 1840.
^b October 14, 1840 (concerning his mission). See Vitalba to Lamar, December 8, 1840.
^c October 14, 1840 (asking for documents). See Vitalba to Lamar, December 8, 1840.
^d October 14, 1840. See Vitalba to Lamar, December 8, 1840.
^e October 15, 1840. See Vitalba to Lamar, December 8, 1840.
^f October 16, 1840. See Moore to Treat, October 29, 1840.
^g October 17, 1840. See Moore to Treat, October 29, 1840.
^h October 17, 1840. See Amory to Lipscomb (private). November 27, 1840.

Sir,
I have the honor
rejected the proposed
course with them, and
I have the honor
Your

To the Honl.
A. S. LIPSCOMB
Secretary

Sir,
My last respects
Cypher, four copies
channels. My previous
with the various accounts
for the *final unsuccessful*
Ill health and other
longer than I could
and make the best of
may be, where I trust
government.

^a The original.
^b October 17, 1840.
^c October 21, 1840.
^d L. S.