

The Undersigned is so sensible of the needfulness of relieving Mr. Russell, without any further delay that He has suggested for the consideration of Her Majesty's Government the propriety of making the payment at once in London. And he has incurred the responsibility of this step, with the conviction that the assurances of Mr. Jones's note of the 24th. Ultimo are very strongly felt, and with the perception that they are susceptible of prompt accomplishment by the means now proposed.

Indeed it will not escape observation that the last of the two courses here suggested will cast the adjustment of the wrong done to Mr. Russell upon funds derived from British trade, and the Undersigned feels assured that the President will readily admit the propriety of rendering that source of revenue liable for the satisfaction of the just and earnest expectations of Her Majesty's Government upon this subject. It has been pressed so emphatically upon his own attention by Her Majesty's Government that the Undersigned must not dismiss the topic without again reminding the Government of the Republic, that the injury complained of took place in the year 1837, and that the vote of Congress in relation to it, is dated so long since as January 1840.

The Undersigned thanks Mr. Jones for his obliging explanation respecting the cause of the delay in the reply regarding the "Little Pen," and perfectly sensible of the just dispositions, of the Government of the Republic, he rests in the confidence, that it will soon be in Mr. Jones's power to enable him to report to Her Majesty's Government that the force of that claim has been acknowledged.

The Undersigned begs Mr. Jones to accept the assurances of highest consideration, with which

He has the honor to remain
His most faithful Set.

CHARLES ELLIOT.

To
The Honorable
ANSON JONES
etc. etc. etc.

JONES TO SMITH.

DEPARTMENT OF STATE
WASHINGTON *Jan. 18th 1843*

HON. ASHBEL SMITH
Chargé d'Affaires of Texas
etc. etc. etc.

SIR,

I avail myself of an opportunity by Mr. S. Converse to forward you to the charge of Mr. Rate, at London a package containing two

blank commissions for privateers with the same number of blank Letters of Marque and Reprisal,—also several copies of the Laws passed at the special session of Congress last summer, and consular commissions as follows. Viz: for Francis B. Ogden, Liverpool; Alfred Fox, Falmouth; John Graham Stewart Glasgow; John Roxborough, Greenock; John Atkinson, Kingston-upon-Hull; and Thomas Were Fox, Plymouth.

I have requested Mr. Rate to hold this package subject to your order, and instructions in the event of your not being in London when Mr. Converse arrives there.

I have the honor to be

with great Respect

Your Most Obt. Svt

(Signed)

ANSON JONES

JONES TO SMITH.

DEPARTMENT OF STATE

WASHINGTON *Jan 19th 1843.*

To the Hon. ASHBEL SMITH

Charge d'Affaires of Texas etc. etc.

SIR,

Since my last dispatches under the dates of the 23d and 26th of December last, your several communications of the 11th 13th and 30th of Novr.^r have been received at this Department.

On yesterday I addressed you a letter by Mr. S. Converse to the care of Mr. Rate with a package containing two Blank Commissions for Privateers, the same number of Letters of Marque, and sundry Commissions for Consuls in Great Britain etc.

The Commissions for Privateers and letters of Marque you will use as directed for those sent you on the 26th Ult. taking in every instance adequate and sufficient security. Should you find parties willing to undertake the enterprize, and who could command the necessary means, it is very probable that the Gulf of Mexico itself might afford opportunities for making very valuable prizes, of public armed vessels and that reprisals might with a proper force be made upon towns situated upon it. Steamships of a suitable construction would be the best calculated for these purposes.

The separate though concerted action of France, England and the United States in the proposed mediation between Texas and Mexico which has been accorded by the two former powers and which will no doubt be acceded to by the United States, as well as the friendly

* For all three, see Correspondence with France.

offices of the latter already so willingly offered and employed, will effect all which Texas has at present a right to claim from those Governments.

In case Mexico should succeed in subjugating Yucatan, and a civil revolution does not break out at home, there is much probability in the expectation that Santa Anna will cause a considerable invading force to be sent to operate against Texas early in the coming Spring. Upon the contingency of success in Yucatan, the two remaining results probably depend and success there according to present information appears doubtful at least, if not improbable. In case of a formidable invasion, I have little doubt that Texas would meet it with an united and successful resistance, and should not the invasion take place in the course of the next few months, Mexico can never hope to resubjugate this country nor should she longer presume upon carrying on a war for such an idle purpose. On the result of events now about to transpire, and at the conclusion of the time in which Mexico may demonstrate her ability for invasion, and the issue is determined, which issue must necessarily be favorable to Texas if she is true to herself, the most favorable period for the interposition of powers wishing to bring about a reconciliation between the parties, will have arrived, and it is much to be hoped that Mexico will be then disposed to listen to the counsels of wisdom and prudence, and to acknowledge the independence of Texas.

Although England has declined entering into the joint triple mediation as proposed with France and the United States, still much may be accomplished, by a separate though concerted action, in this matter by those Governments. The union of France with the United States in mediating without the co-operation of England which from her peculiar relations with Mexico, renders her the most important of the three, would not seem at the present moment, very likely to succeed.

Mr. Elliot, Chargé d' Affaires of her Majesty, has given constant and repeated assurances to the President, that Her Majesty's Govt entertain a very strong desire to see an end put to the present difficulties, and will continue to exert its friendly offices for the attainment of this object.

The Special Session of Congress which was called to meet at this place on the 14th Novr. adjourned without accomplishing any thing. At The regular session which adjourned on the 16th Inst Congress passed about sixty acts and Joint resolutions mostly of a local or private character. The tariff and direct Taxes remain as fixed by the former Congress, and but little change is made in any of the general legislation of the country. A Frontier protection bill passed by a constitutional majority similar in its features to the one passed

in 1837-8 which was vetoed by the President.^a It provides for the election of a Major General by both Houses in joint Ballot and appropriates \$50 000 for the purpose of frontier protection. Thos. J. Rusk, has been elected Major General of the Republic under this law.

The general appropriation Bill this year amounts to about \$127,000 and the whole amount of appropriations made by this Congress to about \$200,000. The appropriation for foreign Legations is the same as last year viz, \$9000 for Salaries of Charge d' Affaires and \$1000 for Contingent expenses. One half of these appropriations (\$5,000.) will be reserved and held subject to your use and disposition.

Congress have also passed a secret act authorizing the President to sell the entire navy of the Republic, which Law he is now preparing to carry out.

Your particular attention is requested to the letter from this Department under date of the 15th Octr. last, with a protest in relation to the unauthorized predatory warfare carried on by Mexico upon the defenceless frontier settlements of Texas, a copy of which protest you were instructed to lay before the government of France. Copies of this protest were sent to the representatives of the United States and Great Britain, here, and also to our Chargé d' Affaires at Washington. Mr. Van Zandt has presented the subject to the consideration of Mr. Webster, Secretary of State of the United States, and will be instructed to communicate to you *direct* the answer of Mr. Webster so soon as it is received, and all information in relation to the same, as well as to other matters of particular interest, which may occur at the Court to which he is accredited. As far as it may be in your power, to keep Mr. Van Zandt reciprocally informed you will please do so by direct communication with him.

Upon such enquiry as I have been able to institute here I am unable to obtain information concerning but one of the individuals enquired of in your letter of the 11th Novr. Mr. Giraud. There is a person of that name now living at Victoria who went there some two years ago in company of Messrs. Gray, Kettles, Kelly and Stewart. Mr. G. has been engaged in mercantile business there, and though not very successful, is highly respectable.

As I am unable to have any reference to the records of the Land Office, I am unable to give you authentic information in relation to the Eleven League claim sold by Mr. Mason, to Mr. Power. I presume however that your opinion in relation to its want of validity is correct.

The letter which you inform me has been written to this Dpt. by the Count de Brieg^b Belgian Minister for foreign affairs explain-

^a Passed finally January 16, 1843. See Gammel, *Laws of Texas*, II, 846-848.

^b Camille de Briey.

mg the reasons for defering the establishment of treaty relations between Texas and Belgium has not been received by me. If convenient you can cause notice of this fact to be sent him.

Your communications by Mr. A. T. Burnley have not been received as that gentleman has not yet arrived from Europe.

Mr. Louis Grousset's Commission as Consul for Marseilles was I believe sent him from Galveston, last spring. I enclose you another herewith, as that one has miscarried which you will please forward with an exequatur when obtained to that gentleman.

Mr. Wm. Bryan who is now here informs me, that Mr. Edmonds his predecessor, did not place in his charge the Box to which you allude, as having been left in Mr. E.'s charge in New Orleans and that he has no knowledge of it. I have instructed Mr. Bryan to make every possible exertion to find it, and should he be successful to forward the same to the care of Mr. Paravey at Havre.

Mr. Wm. Henry Daingerfield Secretary of the Treasury, will be appointed Chargé d' Affaires to the Netherlands, and leave New York in about six weeks for Europe. He will be instructed, to visit you on his route, and will be able to furnish you with every information in relation to our affairs and the events which have transpired here.

The Treaty negotiated by Mr. Riley^a with the United States has been laid before the Senate and received its sanction. The Ratifications will be sent on by Mr. Dangerfield^b to Washington City to be exchanged so soon as the government of the United States shall have ratified the same.

Jan 20th.

A contract has been this day concluded between the President, and Messrs. S. Converse D. J. Carroll Chas Fenton Mercer, Thomas Jones Mowe and Martin Stukely to introduce a number of emigrants into Texas not exceeding ten Thousand. For this purpose the President has granted them, a territory on Red River fronting on that stream One Hundred and Sixtyfour miles, and extending south therefrom one hundred miles, and including upwards of sixteen Thousand square miles. As these gentlemen appear to be acting in good faith in carrying out their proposed scheme you will give them every proper facility in your power to enable them to effect the same. The colonizing of the country with industrious and respectable emigrants from Europe is an object which the President strongly desires to promote, while every attempt at speculation, or imposition, by persons, who may be disposed to effect this object by entering into contracts for colonization (should any such exist or arise) cannot be too promptly exposed and arrested, by our agents abroad.

^a Rely.

^b Daingerfield.

I am happy to assure you that the entire course pursued by you in your intercourse with the Govts of England and France etc. meets the highest approbation of the Department.

I have the honor to be
etc. etc. etc.

(Signed) ANSON JONES

JONES TO SMITH.^a

DEPARTMENT OF STATE
Town of Washington Jan 23d 1843

To the Hon. ASHBEL SMITH

Chargé d'Affaires of the Republic of Texas, etc.

SIR,

The representations which you have been instructed to make to the Govt. of France, in relation to the unauthorized predatory warfare waged by Mexico, against Texas a copy of which was communicated to Her Britannick Majesty's Minister here Mr. Charles Elliott, will it is presumed impose upon those powers, the obligation to interfere in endeavoring to arrest its further continuance. Texas in asserting the rights acknowledged to belong to civilized nations, and the principles which should govern them, in the mode of warfare which, any might adopt must give assurances of a strict observance of these rights and principles herself. That she has always observed them heretofore the history of our revolution abundantly proves, and no departure from them by her officers or citizens will ever be sanctioned by this government, should any such departure be attempted or made by them. That there will be lawless persons in every community, who setting laws and authority at defiance persist in a violation of good order and propriety is certainly true. In a country like Texas whose civil institutions have not been matured by time, and by the enjoyment of peace and national tranquility, whose citizens are liable to strong excitements, and driven to desire vengeance and retaliation upon an enemy with whom that country is at war and from whom the most wanton flagrant and cruel injuries have been long received and endured—it is very natural to suppose that many irregularities will occur and that attempts will be made at retaliation by the parties suffering from the consequences of such injuries.

These reflections are made that in case occurrences of this kind might at any period happen, and the inference be drawn therefrom by any friendly power that Texas, herself had departed from the

^a The copy of this letter kept in the archives was, with the exception of the last two sentences and the note following the letter, written by Jones himself, but his signature was omitted.

principles which she had claimed, should be observed between civilized nations at war with each other, the acts of individuals, even though in some degree excuseable under such peculiar circumstances, should not be imputed to its government or if so imputed that you might be, the better enabled to shew that such imputation was both unfounded and unjust. The Government of Texas, though deeply sensible of the many wrongs and injuries inflicted upon her citizens from 1832 to the present time by the perfidy and the barbarity of Mexico will not in any instance depart from the principles she has avowed to the world; principles which form the basis of all national respectability and which hold together the fabric of the moral universe. It is true she may be driven by necessity to the pursuance of a retaliatory war with Mexico of the character which Mexico has so long pursued against Texas, but when she does so that same necessity will be abundantly apparent and justify her in the opinions of mankind. Other nations, interested in the general preservation of those rules, which the civilized world has adopted, for mutual observance in war, and having it is presumed a due regard to the great cause of humanity, have been called upon to interpose to prevent a state of things so much to be deplored. Should they not do so and Mexico persists in the course she has adopted self preservation, must necessarily induce Texas to the pursuance of a similar course and consequences which must ensue although so deeply to be regretted cannot be longer avoided.

Recently indications were given that the people of this country have been driven to a degree of exasperation which it would be at least difficult for the government to restrain, even if propriety should require it to be done. In the course of the present year no less than three predatory incursions into Texas by Mexican soldiers have been made, under the orders of the government, of Mexico. Our peaceful citizens have been plundered by these troops in some instances, in others captured and imprisoned, and again in other more frequent instances murdered in cold blood and with a most savage inhumanity. A feeling was aroused throughout the country which caused an assembling of a large number of citizens at Gonzales in the month of October determined to avenge the injuries and the murders which had been committed upon their brethren and their friends. The President under a conviction of the propriety of the course ordered Brig. Gen. A. Somervell^a of the 1st Brigade Texas Militia within the limits of whose command the men had rendezvoused to assume the command, and in case a suitable force should muster into service to pursue the enemy across the Rio Grande for the purpose of chastising them observing in every case the rules of civilized warfare and exercising great humanity towards the common people.

^a Somervell.

For your more particular information in relation to this matter I enclose you herewith copies of all the orders given by the President and Secretary of War to Gen Sommervill, for the conduct of the campaign.^a

Although this campaign has ended I regret to inform you no report has yet been made by the commanding General to the Executive. In consequence I am unable to communicate to you an official account of the same. From the best information however which can be obtained, it would appear that the army about 700 strong marched from the Medina on the 25th Nov. that it arrived and took possession of Laredo without resistance on the 8th Decr. the troops stationed there having fled with precipitation on the approach of Gen. Sommervill. From this place a part of the men about 200 returned home. The remainder under Gen Somervill marched on the 10th from Laredo and crossed the Rio Grande near Guerrero on the 14th. in the presence of Gen Canales who with about 400 men was stationed on the opposite side of the river. Gen. Canales with his forces immediately fled, and the town of Guerrero surrendered. On the 18th the army repassed the river in safety and on the 19th. Gen. Sommervill not deeming it prudent to remain longer and being in want of provisions clothing and ammunition concluded to return. The order was then given to march to Gonzales and the march was accordingly commenced by about two hundred men, who returned to their homes. The balance remained in camp and having elected W. S. Fisher commander, in violation of Gen. Somervill's orders recrossed the Rio Grande and entered the town of Mier on the 23d. On the 24th a smart skirmish ensued between this party and a Mexican force, when the latter were repulsed with loss. On the 25th. they were attacked at daylight by about 1500 men, and after having fought very gallantly until 10 O'Clock, a parley ensued, and they were induced, by assurances that large reinforcements of Mexicans were at hand, and promises of safety, to surrender under stipulated articles, the terms of which are not known.

Although while under the command of the properly authorized commander of the expedition some acts of individual outrage may have been attempted upon the property of citizens of Laredo or Guerrero, the Govt. is assured that every such attempt was restrained when it was possible to be done or punished if committed. Private property and personal rights were in every possible instance secured to the enemy's citizens, and one was taken prisoner.

The object of the expedition and the manner of its performance are sufficiently detailed in the orders to Gen. Sommervill, which are enclosed. These were legitimate and proper,—the pursuit and chastisement of the enemy. That the result has been disastrous through

^a Of these, only one letter of instructions has been found: Houston to Somervill, October 3, 1842. See the *Morning Star*, February 18, 1843.

an unfortunate spirit of insubordination the President most deeply regrets, both as it regards the individuals who are prisoners with the enemy, and the consequences to the country which must necessarily result from the failure.

Should any improper representations in relation to this expedition be made to the governments of France or Great Britain from any quarter you will so soon as the same comes to your knowledge address to those governments respectively a communication in relation to the same, with the information contained herein and in the accompanying orders to Gen Sommervill, with such remarks on the subject as you may think suitable and proper—and as the character of those representations may seem to require.

The Executive has recently been assured from undoubted authority that so soon as information was received by the Mexican authorities of the intended council which is to be held by the various tribes of hostile Indians and the Commissioners of Texas and the United States for the purpose of concluding a treaty of peace with these tribes, officers were immediately sent as emmissaries to the different tribes for the purpose of defeating the Treaty, and to enlist again the services of these savages in the cause of Mexico, as allies. These officers are now among them for this purpose and are actively engaged in the objects of their Mission. A proper representation of this fact should be made, to the governments at which you are accredited as an additional cause for their interference, to put an end to the mode of warfare adopted by Mexico. Texas will not attempt to engage the services of these savages and turn them loose upon the defenceless citizens of the Mexican frontier—nor should Mexico under any circumstances be permitted to pursue this course in her conflict with us. The enlightened and humane spirit of the age in which we live, is in direct opposition to such belief.

The outrage recently committed by the Mexican commander of a recent incursive force, in the capture of fifty three peaceable citizens, at San Antonio, while attending to their duties as members of the District Court in session at that place; and their retention in bondage by Mexico, will require your prompt attention, in causing suitable representation thereof to be made to the Governments to which you are accredited. Some of these were citizens of the U. States, some of Great Britain and others of France.

I have the honor to be
with the highest respect
Your Obt. Svt.

A similar letter to the foregoing was sent of the same date to Honl Isaac Van Zandt Chargé d'affaires of the United States,—with the alterations of United States inserted instead of France.