

GUIZOT TO HAMILTON.^a

MAYFIELD TO FORSTER.^b

DEPARTMENT OF STATE

Austin 3rd April 1841.

SIR:

The relations of this Government with Mr. Saligny, have assumed that attitude that it is a matter of some moment; that this Department should have higher authority than the reports of the day, coming in many instances from irresponsible persons, that this functionary, has used language, and threats derogatory to the character and interests of this Country.

It is understood that Mr Saligny has stated; that he had drawn up a representation intimating the willingness on the part of this Government to countenance, Mr Bullock, in alledged outrages against him and his household, and an unusual lethargy in using its powers to bring him to punishment, for those alledged outrages, if guilty, and that this representation was to be despatched to the Minister of the French Government at Mexico, and would meet, the Hon James Webb, upon his arrival there; who has been despatched by this Government to treat, for our Recognition, of Independence, Amity, and Commerce, with that Government; thereby tending to cripple the Negotiations of Judge Webb, the Envoy Extraordinary and Minister Plenipotentiary of this Government to Mexico, under the convention concluded with England.

You will confer on this Department a favor, and upon the country a service, by furnishing it, all the information in your possession or that has come to your knowledge; touching the subject mentioned

I am Sir, with sentiments of respect and esteem, Very Respectfully
Your Obt. Servt.

J. S. MAYFIELD.

To THOS GALES FORSTER

Chf Clk War Department

MAYFIELD TO DAINGERFIELD.^b

DEPARTMENT OF STATE

Austin 3rd April 1841

SIR:

The undersigned, with feelings of humbled pride and mortification, has the honor to inform you, that owing to untoward circumstances,

^a March 31, 1841. See Calendar.

^b See Records of Department of State (Texas), Book 38, p. 184.

the Government cannot avail herself of your valuable services at the Court of St. Cloud.

The President regrets, that the absence of Present means, coupled with the embarrassed state of the finances of the country, and the depreciated condition of its currency; together with the present inability of the Government to advance Mr McIntosh the arrears due him, presents an insuperable obstacle to the appointment of any other Minister to that Court at present.

The ardent hope is indulged that the efforts of our Loan commissioners abroad will meet with success, and that thereby the Government will be relieved from these embarrassments.

With sentiments of high respect and esteem, I have the honor to be,

Your most Obt. Servt.

J. S. MAYFIELD

To the Hon

WILLIAM HENRY DANGERFIELD

FORSTER TO MAYFIELD.^a

MAYFIELD TO SALIGNY.^b

DEPARTMENT OF STATE

Austin April 5th 1841

SIR:

I have the honor to acknowledge the receipt of your note of the 31st Ultimo, notifying me of the receipt of my communication of the 29th of the same month; and have deferred replying to the same until this time owing to the difficulty of obtaining a satisfactory translation.

In reply to your late extraordinary note, I have the honor to remark that whatever estimate you may have seen proper to place upon the nature, tone or temper of my last communications; or by whatever character to denominate it, I reiterate it contains assurances; and breathes sentiments of the continued desire upon the part of this Government to cultivate the most courteous, and amicable relations, with the Government of France; as also additional guarantees and assurances that the President and Cabinet would at all times exercise to the utmost the authority of this Government, to have punished all perpetrations of outrages against your person, household, or reputation, and that the necessary legal measures would be taken to insure this end; with the flattering hope, that thereby corresponding and reciprocal sentiments of courtesy, and respect, would be established.

^a April 4, 1841. See correspondence inclosed with Mayfield to McIntosh, May 12, 1841.

^b See Records of Department of State (Texas), Book 28, pp. 176-178.

It is a matter of profound regret that the ever prompt steps taken by this Government, to prosecute to the utmost rigours of the law, all alledged offences against the law of nations, in the instances complained of by you; and the repeated and earnest assurances given of her determination to afford every reparation consistent with the laws and constitution of this Republic; have been so little regarded by, and proven so wholly unsatisfactory to the Representative of the French Nation; whose chivalry and sympathy, was first awakened in behalf our mother country the U. S. and again signally manifested in countenancing and promptly advancing the hopes and prosperity of the Republic of Texas; her junior daughter. The uniform expression of attachment by the Government and people of this country to his Nation together with assurances as strong as true; of our ardent hope that the most friendly correspondence should ever exist between the two Nations appear to have been lost upon, and unsatisfactory to Mr. Saligny—shall this lead to discord and distrust between his nation, and ours? we confidently hope, and believe, that for anything that has occurred; he will not find it in his power to produce such sentiments, or to jeopardize our Negotiations at Mexico or elsewhere. History bespeaks between the two Governments, an indissoluble and unshaken bond of union, sympathy, and friendship.

The threatening intimations contained in your note of the 31st Ultimo, as also the extraordinary and unusual position assumed by you; unprecedented, and without a parallel it is believed, compels the undersigned however painful to call your attention to the true ground you occupy; and the true relations which you bear to this Government.

In your note of the 25th Ult. advising this Department, of an indignity which you say you received from Mr. Bullock, you were pleased to intimate that if this Government did not afford you that prompt, and summary satisfaction you demanded, that you would be under the necessity of asking for your passport. After charging the Government, with the most inconceivable Lethargy in not adopting instantly the most energetic measures for the punishment of the past, and the prevention of future outrages—You further intimate that the Government, wanted the ability, or will to afford you that protection due your Ministerial Character. Neither are wanting! as the assurances, and action of this Government will Show.

Your language in part is this, "If I am doomed to be disappointed in this my just expectations, I shall find myself under the painful necessity to beg of you to send me my passport and to quit this Country." What cause could there have existed for anticipated disappointment? In the former instance complained of the alledged offender was promptly, and rigidly prosecuted.

The President was not able to give you any other assurance than that the alleged offences, should be investigated and punished agreeable to the law and constitution of this country, similar in all respects to that of the Government of the United States—and assurances with which you seem to be wholly dissatisfied—and instead of asking your passport, as you said you intended to do, you denounce the communication addressed to you by this Department in reply to your complaint of the 25th Ultimo, “a defamatory libel, upon the Chargé d’ affaires of France.” with other language as uncourteous and unjustifiable as unbecoming the official station you occupy, and add that until you receive the ultimate orders of the King your Master, you will suspend all intercourse with this Government.

In reply to which I have the honor to state that you can obtain your passports when you choose to demand them; or can remain in the country, with the exercise of your Ministerial functions suspended in that unofficial character which you have thought proper to assume. Inasmuch as you place yourself in the extraordinary attitude, of declining the exercise of your functions as Chargé d’ affaires of France, and all intercourse with this Government; as a matter of course your immunities and privileges as such cease; and no further protection can be claimed by you [than] what the laws extend to her own citizens.

Having voluntarily changed your relations with this Government by a discontinuance of your connections and intercourse with it; you may rest assured, that in your new position as a private individual the same kindly feelings, and sentiments will be continued towards you which have hitherto been cherished.

Had this Government nevertheless been disposed, to have availed herself of the example of other Nations, or to have acted the least harshly towards you it is believed, and could be sustained upon high authority, and the usage and practice of Nations—that if the President had deemed the interest or negotiations of the country likely to suffer detriment; that he would have been justifiable as well as just to this Government in not extending to you this last alternative; but to have demanded your recall of your own Government, or to have ordered your departure from the Country. For it is reported to this Department and that upon the most unquestionable evidence that before you received an answer to your complaint of the 25th ultimo; that you stated “you had prepared a document for the French Minister at Mexico detailing the circumstances of the case complained of which would meet Judge Webb on his arrival,” the object of which was to embarrass the negotiations of our Minister to Mexico, who was to depart in a few days. Such a threat and such a line of conduct requires no comment. If it were in the power of Mr Saligny to cripple, or to embarrass our negotiations at Mexico, under

the convention concluded with England, it would be unjust, whatever wrongs he may have suffered, and cruel on his part thus to endanger the Safety of Judge Webb, for whom he professes the most kindly sentiments of friendship. Such an interference in our negotiations with other nations it is confidently believed would not be tolerated by magnanimous and chivalrous France—though powerful she is just.

In concluding this correspondence, I avail myself of the occasion to renew to Mr Saligny assurances of the high consideration, with which I have the honor to be Sir

Very Respectfully, Your Obt. Servt.

J S. MAYFIELD

Hon
MONSIEUR A DE SALIGNY
Chargé d' affaires of France.

MAYFIELD TO MCINTOSH,^a

DEPARTMENT OF STATE

Austin April 8th 1841.

SIR—

Urged by motives of duty to the Republic of Texas, and an anxiety to cherish and cultivate in the fullest manner harmony and good feeling with the Government of France; and to do justice to others, which cannot but be approved by those who are just themselves, The President is constrained to remonstrate against the longer residence of Mr Saligny as the Representative of France, in this country.

The expression of attachment to his Government with which Mr Saligny was welcomed—the public and private manifestations of courtesy and respect, which have been shown him; and the long forbearance of this Government, in his gross outrages against all propriety and decorum; and flagrant intermeddling in the foreign and domestic relations of our country, do not bespeak the reproaches abuse, and reflections intimated in his letters.

And for these things we are rewarded by his taunts and threats of war—by attempts to embarrass our negotiations for peace with Mexico, and endeavours to excite discord and distrust between our citizens and those who are charged with the administration of our Laws; between the different branches, and officers of Government, between our Nation and his. It would be a matter of profound regret if any of those things would be found in his power.

That friendship which has dictated to this Government to bear with his conduct thus long, lest the interest of his nation here should suffer injury; will induce the King his master to replace an agent, whose dispositions we are constrained to say are such a misrepresentation of the sentiments of his Government; and Whose Con-

^a See Records of Department of State (Texas), Book 38, pp. 182-183.

tinuance here is inconsistent with order, peace, and respect, and that friendly intercourse which we hope ever to preserve with the Government of France.

His Government cannot but see that by his course of conduct that his residence longer here cannot be useful to his nation; or compatible with the domestic quiet, and interest of this. They will foresee, that if Mr. Saligny persevere in his machinations; and does not cease traducing this Government, her laws, and instructions, and those with whom he is called upon to have intercourse the consequences will be so hazardous to the harmony and good understanding we wish to exist with his nation and ours—the example so humiliating, and at the same time pernicious that we may be forced to order his departure from the country.

He has already seen proper voluntarily to suspend his intercourse with the Government, and is, it is understood on the eve of departure for the United States.

Lay the case before his Government, accompanying it with assurances, that our friendship for the nation is constant and unabating—that there is no object which the President and his Cabinet, and the Country at large have always had more uniformly and sincerely at heart than the continuance of a close union and perfect harmony between the two Governments. That faithful to our obligations we have fulfilled them in every point to the best of our understanding and power—that we are ever ready to enter into candid explanations, and do whatever we can be convinced is right, and that in opposing the extravagances of an Agent, whose Character seems prone to strife, and contention, and not sufficiently known to his Government, we have been forced only by a sense of imperious duty.

I have the honor to be Very Respectfully Your
Obt Servant

J S MAYFIELD

To GEORGE S. McINTOSH
Chargé d' affaires etc.

HAMILTON TO GUIZOT.^a

MAYFIELD TO JEWETT.^b

DEPARTMENT OF STATE

Austin April 25th 1841.

SIR

Finding that you have returned to the City, it again becomes my duty to call your attention to another alledged violation of the laws

^a April 21, 1841. See Calendar.

^b See Records of Department of State (Texas), Book 38, p. 182.

of Nations. It appears from a communication addressed to this Department by Mr Saligny Chargé d' affaires of France on the 25th Ultimo, that the evening of the preceding day Mr Bullock of this city committed an assault, as it is alledged on the person of Mr. Saligny

It is due to France and the integrity of our laws that enquiry should be instituted, in the matter complained of, and the facts brought before our Judiciary tribunal—and the individual punished as the magnitude of the offence merits. You will therefore take the necessary steps to have the individual complained of prosecuted, and communicate to this Department a report of the final decision and Judgment of the Court in the premises

I am Very Respectfully
Your Obt Servt

J S MAYFIELD

To HENRY J JEWETT
Dist Atty.

MAYFIELD TO MCINTOSH.

DEPARTMENT OF STATE
Austin, 12. May 1841^a

Honl GEORGE S. MCINTOSH
*Chargé d'affaires
to France*

SIR,

It becomes my painful duty to communicate to you, and through you to represent to the King and Government of France, a series of conduct on the part of Mr. Saligny, so extraordinary in its character, as to render his longer residence in this Country as the representative of the French Nation unavailing to his own Government, and highly injurious to ours.

Upon the arrival of Mr. Saligny in this Country as the Charge d' Affaires of France, he was welcomed, not only with the kindly feelings which a grateful recollection of the friendship exhibited by his Government to us, in our early history, was so eminently calculated to inspire, but with such public and private manifestations of Courtesy and respect, as should have been sufficient to convince him of the great desire of the Government and people of Texas to cultivate and promote the amicable relations existing between the two countries, and at the same time, to render his sojourn and residence among us, personally agreeable and pleasant to himself. But this disposition on our part, rendered so apparent by our conduct towards him, seems not to have been appreciated by Mr. Saligny. From

^a Received July 1. See McIntosh to Roberts, September 8, 1841.

the moment of his reception up to the present time, his arrogance has been such, as to create the impression that he considered himself as the representative of a Great Nation, which, through his instrumentality, had condescended to look with pity on a feeble one, and extend to it its countenance, when no other European power would have thought of such a thing, and as we were indebted *to him* for the recognition of our Independence by France, we could not object to any course he might think proper to pursue, either with the Government itself, or with its Citizens in his private business transactions. One of his first acts after reaching Austin was the payment of his teamster who had transported his furniture and goods, in counterfeit money, which he afterwards refused to take back or redeem. This money it is said, had been received by him in New Orleans and was pronounced to be counterfeit while in his possession, still he paid it to a poor man who had labor'd for him, and afterwards refused to give him any redress. This affair created much sensation at the time, and to avoid the injurious consequences which would have resulted from it, by destroying the confidence of the community in his integrity, the Secretary of the Treasury gave to the teamster \$300 in lieu of the counterfeit money, and was subsequently reimbursed himself, by the Members of the Cabinet taking the loss upon themselves. See Mr. Sevey's statement.

Shortly after this, Mr. Saligny had a difficulty with his Landlord, in consequence of his refusing to pay his board bill. I know nothing of the merits of that controversy, as it regards the charges made by Mr. Bullock. He is a man who bears a good character in the Country for honesty and probity, and is highly esteemed as a landlord in the City. Mr. Saligny however said that his charges were too high, and he refused to pay them. Be this as it may, it was a private transaction between themselves, in which the Government was not requested by either, for several months, to interfere. It is true, that Mr. Saligny complained in private conversation with several Gentlemen of Bullocks charging him with bad faith in the payment of his debts, but he made no official communication of the fact, and did not seem disposed to giving publicity to the transaction. The Government however, availing itself of information thus indirectly received, and desirous of putting an end to a matter which seemed to give him annoyance, procured an Act of Congress to be passed, which would render liable to punishment by fine and imprisonment, any individual who should speak in disrespectful terms of a foreign Minister.^a This act, goes as far, if not farther, than any other Nation has ever gone, in providing the means for carrying out that principle of the law of Nations which affords protection to foreign Ministers, and as it was

^a See Gammel, *Laws of Texas*, II, 534-535.

known to Mr. Saligny, that it was passed with direct reference to himself, it was hoped that he would see in it the sincere desire which this Government felt to protect him from annoyances of any kind, however those annoyances might have been produced, but no effort on our part seems to have been sufficient to satisfy him. The quarrel between him and Bullock was not only continued, but greatly aggravated on his part, by his causing the property of Bullock to be repeatedly, and as it is said, most wantonly and maliciously destroyed, untill it finally resulted in a rencontre between Bullock and that Servant of Mr. Saligny who had been mainly instrumental in the destruction of his (Bullocks) property. This rencontre led to the correspondence which accompanies this communication, and which has finally resulted in Mr. Saligny's refusing all farther intercourse with this Government.

You will perceive by the correspondence, that the legal and necessary steps were immediately taken by this Department for the prosecution and punishment of Bullock for the alledged attack upon Mr. Saligny's servant, and that notwithstanding the embarrassments thrown in the way of that prosecution by Mr. Saligny's refusing to permit his servant to give testimony in the only way known to our Constitution and laws, it nevertheless resulted in causing Bullock to be bound over to our Criminal tribunals to answer for the offence.

In the result of this proceeding, Mr. Saligny by his letter of the 28th. February, expresses himself satisfied, and yet in his letter of the 21st of March in answer to my communication enclosing him a copy of Bullock's memorial to this Government asking redress for his grievances, he taunts and reproaches the Government with not having given satisfaction for the alledged assault made upon his servant.

Some time after this, as you will see from the correspondence, the controversy between Bullock and Mr. Saligny, assumed a more serious aspect, in consequence of Bullocks ordering him not to come upon his premises. This act of Bullock met the unqualified reprobation of the President and his Cabinet, and without the threats and taunts of Mr. Saligny would have been prosecuted and punished with the utmost severity of the law. But the official letter of Mr. Saligny, communicating the transaction to the Department, combined with his indelicate threats made on various occasions in conversations with others of the Vengeance of France, evinced so gross a departure from official propriety, that I felt it to be my duty in replying, to call his attention in a more particular manner than I had previously done, to his course, and to say to him (while reiterating the assurances that all the protection which the laws afforded, should most cheerfully be given him) that if these assurances, and the readiness which we had at all times evinced to carry them out, did not satisfy him, his passports would be furnished upon demand. This seemed to be the only alterna-

tive left to us by his arrogant deportment, by his repeated threats to produce a war between the two countries, and by a series of other insults in reference to the officers of this Government, which he was daily offering.

Had we been permitted to entertain the belief that Mr. Saligny's course had resulted from an irritated state of feeling induced by his controversy with Mr. Bullock, we would have borne with it, however discourteous and disparaging to this Government, might have been his remarks; but previous transactions, notorious to every one in this community forbid our placing upon his conduct that charitable interpretation. Some time previous to his first official communication to this department respecting the conduct of Bullock, he had procured to be presented to the Congress a bill asking for a grant of three millions of acres of land, and other large privileges, to be confer'd upon two French Gentlemen named in the bill, and such other persons as they might associate with themselves.^a In the benefits to result from this bill (should it become a law) it was understood, that Mr. Saligny was to be the principal participant, and during its progress through Congress he was constant in his attendance before the different branches of the Legislature, encouraging its friends and attempting to overawe and frown down those who were opposed to it. I, at that time, was a Member of the Representative board of Congress, and looking upon the bill as a most extraordinary one, and wholly adverse in its most prominent features to the interests of my country, I opposed its passage, and for that act I, in common with other members who voted against it, not only incur'd the censure and abuse of Mr. Saligny at the time, but I have from thence up to the present moment, been the object of his continued vituperation and abuse.

About the time of the adjournment of Congress, it was understood that I would be invited into the Presidents Cabinet, and placed at the head of the Department over which I now preside, and to shew Mr. Salignys hostile feelings towards me, he declared, as I am creditably informed, that if I took charge of the Department of State, he would cease all intercourse with the Government. From these circumstances, and from his repeated street conversations in reference to me, I can form no other opinion than that the whole of the dissatisfaction expressed by him towards this Government, has had its origin in the defeat of his "Franco Texian" bill, and the part which I took as a member of Congress in the discussions upon that bill. His controversy with Bullock has been made the pretext for his animadversions, but the real cause of his discontent was the defeat of his bill, and the calling of me to the Cabinet, and he seems to have set out with the determination of either driving me from the Cabinet, or of producing a rupture between this Country and France.

^a See note ^a, p. 1315.

Since his letter of the 31st March, he has refused all intercourse with the Govt., but declines taking his passports, saying that he will remain in the Country untill a new administration comes into power, and that in the mean time he will continue his intercourse with the people, as he believes they will sustain him against the Government, thus attempting to create parties, hostile to the administration of the Government to which he is accredited. Indeed, since the discontinuance of his official intercourse, he has, by exhibiting garbled parts of the correspondence, procured through his friends, the getting up of public meetings, the avowed objects of which were to pass upon what he calls the controversy between himself and the Government, and in which the most inflammatory speeches are delivered and uttered against the administration.

And it is not alone in his attempts to array a party against the administration of the Government in this Country, that Mr. Saligny has departed from that propriety of deportment which should have characterized his course, but he has gone even farther, in his interference in our affairs by attempting to produce difficulties in our negotiations with Mexico which in themselves, are sufficiently delicate and embarrassing. While we were preparing a Mission to Mexico, under the convention recently entered into with Great Britain, the object of which is to negotiate a peace with that Government, Mr. Saligny stated to several, that he had written or would write to the French Minister at Mexico, giving him an account of his quarrel here, with the intention that it should meet our Minister upon his arrival in that country, and as it was intimated, to prevent his reception, or otherwise, embarrass his negotiations.

However much the President was disposed to look over what he was compel'd to regard as the improprieties of Mr. Saligny, while his acts were confined to the limits of the Republic, and being known could be duly appreciated, he could not with any degree of justice to the Country, permit this last act to pass by unnoticed, and without communicating it to his Government. He therefore directs me to say to you, that you will make these things known to the King and Government of France, and respectfully to ask the recall of Mr. Salagny, believing as he does that after such a course of conduct, his longer residence here, can not be rendered profitable to his own Nation, or be calculated to secure and promote that friendship and harmony between the two Governments which is so earnestly desired by this.

The President directs me to say to you, that while addressing the French Government relative to this most unpleasant affair, you will not fail to give it the strongest assurances of our gratitude for the friendly sentiments heretofore manifested by it towards us, and the great desire which we feel to maintain the most amicable relations

with it, and the people of France; and you will at the same time give the assurance, that a disposition sincerely felt, not to take any step which might seem even for a moment calculated to disturb those relations, has restrained the President up to the present time, from complaining of Mr. Salignys course to his Government, and would have restrained him still longer, could he have entertained the hope that his forbearance would be appreciated by Mr. Saligny, or have induced him to pursue a course, less derogatory to his character as the Representative of a great and friendly nation.

In looking over the correspondence, you will observe that it has been badly copied, a fact which did not come to my knowledge untill it was too late to prepare another Copy for the conveyance by which this is sent. It is however substantially correct, and you will be able to extract such matters from it as you will find necessary to lay before the Kings Government.

This business has from its commencement, been regarded by this Department as a most unpleasant one, and I have endeavor'd, as far as it was possible, without an utter disregard to the respect which was due, to ourselves as a Nation, to prevent its assuming the character which I am now compel'd to give it. We would have borne much from Mr. Saligny, and did bear much, in consideration of the Nation he represented, before we would allow ourselves even to notice a series of arrogant assumptions, and threats, made not so much in his correspondence with the Department, as in his conversation with others, with the view of their exercising an influence upon the administration by exciting the public Mind with the fear of his producing a state of hostility between the two Countries; but when he undertook to interfere with the foreign relations of this country, relations in which his Government had no interest, and that too for the purpose of embarrassing us, in a most important and delicate mission, we could no longer look upon forbearance as being proper, either as respected ourselves, or as respected the King and Government of France.

While presenting these things therefore to the Government of the King, with all the delicacy which the occasion requires, you will remonstrate with proper firmness, against the longer residence of Mr. Saligny in this Country; at the same time, giving the most unqualified assurance of our desire, that the friendly intercourse between the two Governments may be resumed, and kept up, through the medium of such other agent as the King may be pleased to send to this Country.

I have the honor to be
with great respect
Your obdt servt

JAS S. MAYFIELD
Secretary of State