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Texas. Message from the President of the United States, transmitting a report from the Secretary of State, upon the subject of the relations between the United States and the Republic of Texas.

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TEXAS.

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A report from the Secretary of State, upon the subject of the relations between the United States and the Republic of Texas.

JULY 22, 1842.

Referred to the Committee on Foreign Affairs.

To the House of Representatives of the United States :

In answer to the resolution of the House of Representatives of the 13th instant, upon the subject of the relations between the United States and the republic of Texas, I transmit a report from the Secretary of State. My last communication to Congress relating to that republic, was my message of the 30th of March last, suggesting the expediency of legislative provisions for improving the trade and facilitating the intercourse by post between the United States and Texas. The report of the Secretary of State is accompanied by a copy of all the correspondence between the two Governments, since that period, which it would be compatible with the public interest to communicate to the House of Representatives at this time.

JOHN TYLER.

WASHINGTON, July 22, 1842.

DEPARTMENT OF STATE,

Washington, July 21, 1842.

SIR : The Secretary of State, to whom was referred the resolution of the House of Representatives of the 13th instant, requesting the President to cause to be communicated to that House, so far as might be compatible with the public interest, copies of all correspondence between the Governments of the United States and of Texas, since the last communication of the President to Congress relating to that republic, and of any proclamation of the President thereof, declaring his determination to invade the Mexican republic, and inviting the co-operation of the citizens of the United

States in such intended invasion, and also requesting the President to inform that House whether any, and, if any, what notice has been taken by the Executive of the United States of the said proclamation, has the honor to lay before the President the accompanying papers, and to report that the proclamation called for by the resolution has not been officially communicated to this Department, nor has the Department taken any notice of it.

DANIEL WEBSTER.

To the PRESIDENT of the United States.

List of papers accompanying the report of the Secretary of State to the President of the 21st of July, 1842.

- Mr. Eve to Mr. Roberts, April 20, 1842.
- Mr. Roberts to Mr. Eve, April 23, 1842.
- Mr. Eve to Mr. Jones, May 9, 1842.
- The same to the same, same date.
- Mr. Jones to Mr. Eve, June 7, 1842.
- Mr. Eve to Mr. Jones, July 25, 1842.

Mr. Eve to Mr. Roberts.

LEGATION OF THE UNITED STATES,

Galveston, April 20, 1842.

SIR : Warren D. Haughton, George Barnard, a Mr. Kimball, John McAlister, H. B. Sutton, Lewis Thickstum, J. M. Alexander, H. B. Buckanan, David Snively, a Mr. Harmer, Ratcliff Hudson, Albert Goodsin, Chas. C. Willis, John Halliday, James H. Hughes, J. H. Rogers, Levi Butler, T. A. Sully, Smith Bower, Thomas C. Tucker, and H. F. Grash, who accompanied the Sante Fe expedition, have been claimed by their friends as citizens of the United States. Will you do me the favor to inform me whether any of the above-named individuals have, to your knowledge, taken the oath of allegiance to this Government, or whether any of them have renounced their allegiance to the United States; what was their information as to the object of the expedition; whether they were employed by this Government, or whether they accompanied the expedition as traders or travellers; whether it was understood that they were to make war upon the Mexican authorities, or whether it was a peaceable, friendly trading company? Your early answer, with such other information upon this subject as you may be able to furnish me, will be thankfully received.

With sentiments of high regard, I have the honor to be your obedient servant,

JOSEPH EVE,

Chargé d'Affaires of the U. S. to the Republic of Texas.

HON. SAMUEL C. ROBERTS,

Secretary of State for the Republic of Texas.

Mr. Roberts to Mr. Eve.

GALVESTON, *April 23, 1842.*

SIR: In reply to your note of the 20th instant, in which you propound several inquiries in relation to the Sante Fe expedition which left Austin in June last, I have to state, that I was at the time of the departure of the expedition the acting Secretary of State, and, under the direction of the President, prepared the instructions given to the commissioners by the Government.

In looking over the list of twenty-one names contained in your note, with whom you ask me if I was acquainted, I recognise only four as having been personally known to me previous to the departure of the expedition, viz: H. B. Sutton, David Snively, Ratcliff Hudson, and John Halliday; but whether they had either or all taken the oath of allegiance to Texas, I have no positive information; three of them, I think, had not, viz: Hudson, Sutton, and Snively, from the fact that they had only come to the country very recently. Captain Hudson I knew very well, and I am confident I should have heard it mentioned by him if he had ever contemplated taking the oath of allegiance to this country. It may be proper to remark here, that, by our constitution, no renunciation of allegiance to the mother country is required, to entitle one to all the privileges of citizenship in Texas. I find it somewhat more difficult to reply, with equal clearness and precision, to the inquiries contained in the latter portion of your note. The instructions to the commissioners were not known to the officers and men comprising the expedition; they were read only, by two of the commissioners in my office, the other not being at the time in the city. The *object* of the expedition was not to make war upon Mexico, but simply to assert the jurisdiction of Texas over a portion of our territory lying in a remote corner of the country, a very large portion of whose inhabitants were anxious for the change; of this the President had the *strongest assurances*. Another main object of the expedition was to open to the enterprise of our citizens a nearer and safer route to Santa Fe, for the purposes of commerce; and it would not perhaps be amiss to say that, with *all* who went on the expedition, the prospect of future trade formed a portion of the inducement, and with at least half the only one. Those who went as merchants and traders, taking with them merchandise for the purpose of barter and exchange, *must* have regarded the expedition to be of a peaceable character, otherwise they never would have ventured their *all*, as most of them did, upon so wild a hazard. Such was my opinion, and such I think was the opinion of the President, and other members of the cabinet. I should have remarked, in the beginning, that, since the receipt of your note, I have not had an opportunity of looking over any of the records in relation to this subject. I cannot, therefore, say in what capacity any of the persons whose names are mentioned above went, except Ratcliff Hudson. He, I always understood, had command of a company from the county of Harris; and, upon reflection, I state, with equal confidence, that David Snively went in the capacity of a merchant, having no connexion whatever with the military command. While upon this subject, I cannot refrain from mentioning the name of a young man from Washington City. His name is Charles Burgess; he came here as a minor, and is not yet of age; and I can state, very confidently, he has never taken the oath of allegiance to this country.

He was all the time under my eye; he was a lieutenant in the artillery company, and is now a prisoner in Mexico.

I have answered the questions you have propounded, as clearly and as explicitly as the means of information in my possession will admit. I have had to rely solely upon my memory, which, however, is perfectly clear and distinct in every instance in which I have spoken with positiveness.

I have the honor to be your obedient servant,

SAMUEL C. ROBERTS.

HON. JOSEPH EVE, *Chargé, &c.*

Mr. Eve to Mr. Jones.

LEGATION OF THE UNITED STATES,

Galveston, May 9, 1842.

SIR: The President of the United States having received authentic information that, through the exertions of Commodore Moore, of the Texan navy, the lives and property of the master, crew, and passengers of the schooner Sylph, which was wrecked on her passage to Sisal, on the 19th of January last, were saved, I am instructed to say to you, that the President of the United States justly appreciates the generous and humane efforts of the Texan commodore upon that occasion, and that he trusts they will also be received in a favorable light by the Government of Texas.

With renewed assurances of my high regard, I have the honor to be your obedient servant,

JOSEPH EVE.

HON. ANSON JONES,

Secretary of State of the Republic of Texas.

Mr. Eve to Mr. Jones.

LEGATION OF THE UNITED STATES,

Galveston, May 9, 1842.

SIR: In my note to you of the 20th of December, 1841, No. 2, I had the honor to enclose several communications which had been made to the Hon. J. C. Spencer, Secretary of War of the United States, complaining of depredations which had been made by citizens from Texas upon Indians residing in the United States. From your note to me of the 30th December, 1841, stating the determined and decisive measures which the President of Texas would pursue in regard to this subject, and knowing that the Government of the United States had augmented its military force near the line, with instructions to all officers and agents to notify Indians that they were not to cross over to Texas under any pretext, it was hoped and believed that no further difficulties would arise between the two Governments with regard to the Indians. I have, however, the unpleasant duty again to represent to the honorable Secretary of State of Texas, other (and some of more recent date) trespasses said to have been committed by disorderly and lawless citizens of Texas upon the Indians of the United States. For an

explanation of the proceedings of some of the inhabitants of Texas, I herewith enclose a copy of a communication from a delegate of the Choctaw nation of Indians to the War Department of the United States, and also an extract from a letter from a Choctaw to P. P. Pitchlynn. The undersigned, chargé d'affaires of the United States, respectfully suggests to Mr. Jones the expediency of the Government of Texas impressing upon its citizens and officers, whose abodes are adjacent to settlements of Indians of the United States, the necessity of abstaining from broils with that race of people, and from giving them any just cause of provocation. Unless the Government of the United States shall be satisfied that the Government of Texas does all that lies within its power in that respect, it cannot be expected that the United States Government will consider itself answerable for any excesses which those savages may be provoked to perpetrate.

With renewed assurances of high regard and respect, I have the honor to be your obedient servant,

JOSEPH EVE.

HON. ANSON JONES,

Secretary of State of the Republic of Texas.

Mr. Jones to Mr. Eve.

DEPARTMENT OF STATE,

Houston, June 7, 1842.

SIR: The undersigned, Secretary of State of the Republic of Texas, has the honor to acknowledge the receipt of the note addressed to him by the Hon. Mr. Eve, on the 9th of May ultimo, on the subject of certain aggressions said to have been committed, by citizens of this Republic, upon the Choctaw Indians residing upon Red river, with the accompanying communications.

The note of Mr. Eve should have received an earlier reply, but absence from the city and a press of business has until now prevented it.

By reference to the date of the communication addressed by the Choctaw agent to the honorable Secretary of War of the United States, and the tenor of that document, it will be perceived that this complaint was made anterior to the time when the instructions which were forwarded from this Department to the district attorney on Red river, upon the subject of Mr. Eve's previous communication, could have been received and carried into effect by that officer, and which it was hoped would have the effect of quieting any further disturbances of the kind complained of on that frontier.

The reports which should have been made to this Department by that officer have not as yet been received, and consequently the result of his investigations are not yet known.

In the mean time, however, copies of Mr. Eve's note and the accompanying communications have been sent to the district attorney for the proper district, with instructions to cause a full investigation to be had in reference to the complaints therein made, and to prosecute any offenders in the premises to punishment.

The undersigned repeats to the Hon. Mr. Eve, chargé d'affaires of the United States, the assurance that the Government of Texas will avail itself of all the means in its power to prevent any aggressions being made by its

citizens upon those of the United States, and sees with much pleasure the increase of the army on the Southwestern frontier—an additional evidence of a disposition on the part of that Government to prevent a repetition of those aggressions, by Indians residing within its borders, which have heretofore been the subject of such frequent complaints on the part of the Government of Texas.

The undersigned avails himself of this occasion to renew to the Hon. Mr. Eve the assurances of his distinguished consideration.

ANSON JONES.

HON. JOSEPH EVE,

Chargé d'Affaires of the United States.

Mr. Eve to Mr. Jones.

LEGATION OF THE UNITED STATES,

Galveston, July 2, 1842.

SIR: One of the war vessels belonging to this Government having (under the proclamation of the President of Texas, declaring all the ports of Mexico on the Gulf to be in a state of blockade) recently captured, near the mouth of the Mississippi, a trading vessel, claimed by the master and owner to belong to citizens of the United States, and sailing under the colors of the United States, on its passage from New Orleans to Mexico, which vessel is now detained as a prize and the case is pending before one of your courts of admiralty in this city, it has become the duty of the undersigned, chargé d'affaires of the United States, to call the attention of the honorable Secretary of State of Texas to this subject, and refer him to the 21st article of the treaty of amity, commerce, and navigation, between the United States of America and the United Mexican States, signed at Mexico on the 5th of April, 1831, which is considered binding between the United States and Texas, and by which the reciprocal obligations of the two Governments upon the subject of blockade were defined, and contain the principles of the law of nations upon the subject of blockade, which have always been contended for by the United States. Adhering to these principles, the United States Government will expect, from this, the amplest indemnification for any violation of the just neutral rights of the citizens of the United States, and cannot admit the legality of any capture for an alleged breach of the blockade, unless the ports said to be blockaded shall be actually invested by a force capable of preventing the entrance of a neutral, and the neutral shall attempt to enter, after having been warned, by the commander of the blockading force, of the existence of the blockade.

In order to avoid the many difficulties which may otherwise arise between Texas and the United States upon this subject, during the existence of the blockade, the undersigned chargé d'affaires would respectfully suggest to the honorable Anson Jones, Secretary of State of Texas, if it has not already been done, the propriety of giving orders to the commander of the Texan blockading force to strictly adhere to the principles above stated.

With renewed assurances of high regard, I am your obedient servant,
JOSEPH EVE.

HON. ANSON JONES,

Secretary of State of the Republic of Texas.