

It was not until Butler had been nearly two years in Mexico that he ventured to open the subject of Texas to Alaman. He had previously sent to Washington excuses for delay and requests for further instructions. In May, 1831, he wrote to the President that there had never yet been a fit time for discussing the subject.

"It would," he said, "have been something worse than folly to approach the affair of Texas. It was a principal object with me to permit that subject to rest so completely that it would be lost sight of by the people here, and be taken up on some proper occasion, after all the suspicions and jealousies it had awakened were dissipated. But our newspapers have kept it so constantly before the public gaze, not only in the United States, but so as to attract the attention of Europe during the past year, as in a great degree to prevent the previous excitement from subsiding. . . . Whenever the [Mexican] newspapers desired to fan anew the flame of opposition against General Guerrero, there would appear publications charging him with the design of selling Texas to the United States, and then add that for such a crime alone he deserved expulsion from the Government. All this served to admonish me that success in a negotiation for Texas hitherto was out of the question."¹

On June 23 he wrote again that he should seek the earliest occasion to bring the subject of Texas before the Minister of Foreign Relations, but as the subject abounded in difficulties and required to be treated with great caution and delicacy, it might take time. He wished, however, to be advised whether the sum of five millions was the maximum that would be given under any circumstances, or whether he might not go as far as seven millions if it should be discovered in the course of the negotiation that a difference as to price was the only obstacle.² "Your suggestion with regard to the maximum," Jackson replied, "has been fully considered in executive Council and their unanimous opinion is, the Five millions cannot be exceeded."³

At last, in October, 1831, Butler "cautiously approached" the Minister of Foreign Relations, and was told "that the

¹ Butler to Jackson, May 25, 1831; H. R. Doc. 351, 25 Cong., 2 sess., 381.

² Butler to Jackson, June 23, 1831; *Jackson MSS.*

³ Jackson to Butler, Aug. 17, 1831; *ibid.*

federal government, if they were to attempt such a measure, would not only violate the Constitution, but produce resistance on the part of the states"; and Butler thought it best not to press the matter further at the time;¹ and he did nothing more about it that year. Just before Christmas, in a despatch transmitting the ratified treaty of commerce, he wrote: "Being now at leisure to turn my attention to another subject, I hope to be able very shortly to communicate something on the subject of T——."²

Meanwhile, the situation in Texas was becoming acute through the operation of Alaman's stringent measures to regulate the conduct of the settlers. In February, 1832, Edward Livingston, the Secretary of State, wrote to Butler on the subject. Advices, he said, had been received from private sources of great discontent in that quarter threatening a formidable insurrection.

"As the persons most active in these movements are said to be emigrants from the United States, suspicions may arise in the minds of those ignorant of the principles on which our Government is conducted, that it has fomented or connived at these discontents, should they break out into action. These it will be your duty, by every means in your power, to remove; declaring, should any such suggestions be made, that you are instructed to say that they are totally unfounded, and that your Government will consider them as the expression of an unfriendly doubt of their good faith."³

When this reached Mexico Butler was absent on a trip to the northern part of the country, which may have extended as far as Texas. He returned to the capital late in June and immediately sought an interview with Alaman. During the next three or four weeks they had at least three conversations, concerning which Butler wrote at great length to the Secretary of State, referring also to the probability of Santa Anna's success and to the exhausted condition of the Treasury, which he said had been replenished by means of a small loan at the extraordinary rate of four

¹ Butler to Jackson, Oct. 6, 1831; *Texas Archives MSS.*

² Butler to McLane, Dec. 23, 1831; H. R. Doc. 351, 25 Cong., 2 sess., 411.

³ *Ibid.*, 83.

per cent a month interest. He expressed the opinion that Bustamante's government would certainly not last a year; but he apparently did not think it necessary to report to the State Department the fact that Alaman had resigned his position as Minister of Foreign Relations six weeks previously.¹

In a private letter to Jackson, however, Butler, while asserting that the probability of acquiring Texas was then better than his most sanguine hopes had allowed him to anticipate, did indirectly refer to the fact of Alaman's resignation.

"Although that Gentleman," he wrote, "has apparently withdrawn from the Cabinet he still directs the Department of Foreign Affairs *sub rosa* and is in fact as much the Minister as at any period heretofore . . . The amount I am limited for the purchase by my instructions will very probably be in part applied to *facilitate the Negotiation*, in which case we shall provide for that portion of the payment by a secret article."²

Alaman, according to Butler's account, listened politely, but said nothing. Even if he had been susceptible to the kind of arguments which Butler evidently expected to employ, the late Minister of Foreign Relations could do nothing. He was no longer in office, and the growing strength of Santa Anna's party was such that even his life was plainly in peril. On August 19, 1832, Francisco Fagoaga was appointed his successor by Bustamante.³ On December 26, 1832, another minister was appointed by Pedraza, who held only until April, 1833, when Carlos García was appointed Minister of Foreign Relations under the administration of Gómez Farias.

While the domestic affairs of Mexico were in such a position of uncertainty, it is not surprising that Butler could

¹ Butler to Livingston, July 16, 1832; *State Dept. MSS.* The minutes of the conversations are printed in H. R. Doc. 351, 25 Cong., 2 sess., 442-445.

² Butler to Jackson, July 18, 1832; *Jackson MSS.* In a previous letter to Jackson, dated June 21, 1832, Butler had expressed himself as confident of success if he could deal with Alaman alone, "for I think I hold the key to unlock his heart and the means of enlightening his understanding."

³ Bancroft, *History of Mexico*, V, 116.

get no intimation as to the views of the successive administrations, and as direct negotiations for the purchase of Texas seemed to be hopeless his thoughts reverted to another mode of dealing with the subject, which was in fact the making of such a mortgage as Ward had outlined in his book some years before. This suggestion was made in a letter to the President early in 1833, and upon the back of the letter Jackson wrote an impatient memorandum which he sent to Livingston, and which was subsequently the subject of adverse comment:

"Instruct Col. Butler," Jackson said, "to bring the negotiation to a close. The Convention in Texas meets the 1st of next April to form a constitution for themselves. When this is done, Mexico can never annex it to her jurisdiction again, or control its Legislature or exercise any power over its Territory—it will be useless after this act, to enter into a treaty of boundary with Mexico."¹

The convention referred to was, of course, the second San Felipe convention which had been called some weeks before to consider not independence, but separate statehood within the Mexican federation. The convention which met on the first of April, 1833, did practically nothing except to affirm the resolutions of the convention of October, 1832, and to send Austin to Mexico to urge the plan for the new state. Jackson's memorandum, therefore, indicated that he was not very accurately informed as to the plans of the Texan leaders. Certainly it entirely failed to show that he knew anything more about the subject than was open to anybody who read the newspapers.

Part of Jackson's information, however, may have been derived from Sam Houston, who had just returned to the United States from a visit to Texas, and wrote, under date of February 13, 1833, from Natchitoches, in Louisiana, that unless Mexico was soon restored to order the province of Texas would remain separate; that Texas had already beaten and repelled all the troops of Mexico from her soil and would not permit them to return; and that it was probable that

¹ Indorsement on letter of Butler to Jackson, Feb. 10, 1833; *State Dept. MSS.*

he (Houston) might make Texas his abiding-place; but, if so, he would "never forget the country of his birth."¹

In accordance, therefore, with the President's memorandum on Butler's private note of February 10, 1833, the latter was officially instructed to reject any proposal for a loan by the United States, and the instructions continued as follows:

"The situation of affairs in the State of Texas y Coahuila makes it important that your negotiation on that subject should be brought to a speedy conclusion. It is at least doubtful whether in a few weeks any stipulation could be carried into effect. No new instructions on the subject of the proposed cession being deemed necessary the President has directed me to refer you to those already given on that subject."²

But it was not at all in accordance with Butler's personal notions that the negotiation for Texas should be brought to an end. During the spring and summer he wrote very fully about conditions in Mexican politics, asserting that the Department of Foreign Relations was friendly, prophesying the destruction of the federal system and the success of Santa Anna, who would be made dictator, and explaining that he would talk with Santa Anna himself, as soon as he came to the capital, upon the subject of Texas. On July 26 he complained that he could get no answer to his letters about Texas; but ten days later he wrote that the prospect of acquiring Texas was better than at any period since the late Secretary Alaman left office. His reason for this confidence, as he explained, was because of the discussions then going on in the cabinet of Gómez Farias, in reference to the action to be taken in regard to the petition presented by Austin praying for separate statehood for Texas.

"The Cabinet," Butler wrote, "are engaged at present in the discussion of a Memoir presented to it by the Citizens of Texas pray-

¹ Williams, *Sam Houston*, 79-81. As to the withdrawal of the Mexican troops from Texas in 1832, see Chapter IX, above.

² Livingston to Butler, March 20, 1833; *State Dept. MSS.* Italics in the original. And see extract from this instruction in H. R. Doc. 42, 25 Cong., 1 sess., 16, and H. R. Doc. 351, 25 Cong., 2 sess., 95.

ing to be permitted to form themselves into an independent State and my informant tells me that the Cabinet have made three questions:

"1. Shall the prayer of the Memorialists be granted and they admitted to form an independent State?

"2. Shall we attempt to reduce them to order by military force?

"3. Or shall we give up the territory and cede it to the United States?

"The first question it is said by my informant has been decided in the Negative, the others continue under discussion."¹

Nothing having come of these discussions that was at all favorable, Butler lightly turned to thoughts of bribery on a large scale, accompanied by violence. In September, 1833, he drafted a letter to the President in which he expressed a doubt whether anything could be done "with the present Men in power"; that his principal hope now rested on Zavala, to whom he had offered two hundred thousand dollars if he could bring about a cession of Texas; and that it was probable he should employ from four to six hundred thousand dollars "of the sum to which you have limited me, in purchasing Men, and the remainder in purchasing the country."²

Whether the foregoing letter was sent is perhaps doubtful, as no such letter is among Jackson's papers in the Library of Congress, nor alluded to in any later correspondence; but on the second of October, 1833, he did write a letter which Jackson received, and in which Butler advised the immediate and forcible occupation of the territory lying between the Sabine and the Nueces rivers:

"When I recollect the advice you gave," said Butler, "and the opinion you expressed to Mr. Monroe in relation to East Florida, a case presenting features nothing like so strong as the present, and with not a tith of the circumstances to justify the proceeding which we have in the T—— affair, I can not doubt but you will concur with me in the propriety of the movement. . . . The Territory once occupied by any portion of our Troops, and the people of T—— would themselves do the work, they require nothing but our countenance—nothing but an assurance that they would not be rejected

¹ Butler to McLane, Aug. 5, 1833; *State Dept. MSS.*

² Butler to Jackson, Sept. 14, 1833; draft in *Texan Archives MSS.*

by us. There are at present in Mexico two Gentle from T—— bearers of a petition to the Supreme Governmt for permission to assume an Independent State Government and be separated from Coahuila. . . . The application for State Govt. is all humbug. . . . Santa Anna is a vile hypocrite, and most unprincipled man, you can have no hold on his moral principles because he is without any, count therefore on nothing but what we may be prepared to enforce."

On October 28, 1833, Butler again wrote a private letter to the President relating what he called a "very singular conversation" with "one of the most shrewd and intelligent men of the country" who held a high official station and had much influence with Santa Anna, the substance of which was that the question of the boundary could be arranged if two or three hundred thousand dollars were paid to a very important man, and that it would be necessary to distribute three or four hundred thousand more among other persons. "You will be at no loss to imagine," Butler added, "who the important Individual was, which he considered it *all important to gain over.*"

Jackson answered more in sorrow than in anger. He was astonished, he wrote, that Butler should have intrusted such a letter to the mail without its being in cipher, and astonished that he should have replied to a suggestion of bribery by a statement that the money should be forthcoming. Nothing, said Jackson, had been further from his intention than to convey the idea that money might be used for purposes of bribery. The United States had nothing to do with the distribution of the purchase-price among persons who held uncompleted grants of land, if any payments to such grantees were necessary in order to give the United States an unencumbered title; "but I admonish you to give *these shrewd fellows* no room to *charge* you with any tampering with their officers to obtain the cession thro corruption."¹

¹ Butler to Jackson, Oct. 2, 1833, Oct. 28, 1833; Jackson to Butler, Nov. 27, 1833; all in *Jackson MSS.*, Library of Congress. A draft of a reply from Butler to Jackson's letter of Nov. 27 is in the *Texan Archives MSS.* In this draft Butler explains that he thought he was justified, under some former letters from the President, "in conciliating, or corrupting if you please, influential individuals to aid me in the object to be completed and without which, I saw that a successful negotiation for T—— was out of the question."

A few weeks' reflection seems to have satisfied the President that Butler's activities had better be brought to a close; though tenderness to an old friend induced him to arrange matters so that Butler could leave Mexico with some appearance of dignity. The Secretary of State, therefore, instructed Butler that as the time had passed for the meeting of commissioners to mark the boundary line under the treaty of 1819, an additional article must be agreed to before the treaty could be carried into effect; and that it was the President's wish that as soon as this additional article was ratified by the Mexican government, Butler should take leave and return home bringing the document with him.¹

Butler did not receive these instructions, or at least he said he did not, until the month of June. He had in the meantime written a private letter to the President on March 7, 1834, again urging that the United States take forcible possession of the territory between the Sabine and Neches rivers.

"If you will withdraw me from this place," said Butler, "and make the movement to possess that part of Texas which is ours, placing me at the head of the country that is to be occupied, I will pledge my head that we shall have all we desire in less than six months without a blow and for the price we are willing to pay for it."

Upon this letter Jackson indorsed the following characteristic memorandum:

"A. Butler. What a scamp. Carefully read. The Secretary of State will reiterate his instructions to ask an extension on the Treaty for running boundary line, and then recal him or if he has received his former instructions and the Mexican Government has refused, to recal him at once. A. J."

The State Department on June 11, 1834, complied with the President's directions by sending Butler a duplicate of

¹ McLane to Butler, Jan. 13, 1834; H. R. Doc. 42, 25 Cong., 1 sess., 16. The additional article was not signed until April 5, 1835, and ratifications were not exchanged until April 20, 1836. As to the causes for this delay, see *ibid.*, 33-43, 62-94.

the former instructions directing him to conclude an additional article in reference to running the boundary line and then to take leave and return home. When Butler received these orders, he evidently concluded that his best hope of retaining possession of his office was a personal appeal to the President. He therefore wrote to the Secretary of State explaining that, as the Mexican Congress would not meet until the following January, a ratification of the proposed article might be long delayed, and suggesting that it might be better to permit his return immediately to the United States, for, he said:

"I am fully persuaded that the public service may derive benefit from an interview either with yourself or the President, at which certain communications may be made and opinions freely exchanged and compared, which it is impracticable to do by any other mode; and after this interview, it may be better determined whether the public interest will be more advanced by my return to Mexico, or by the appointment of a successor."¹

Forsyth forwarded to the President, who was then in Tennessee, an extract from this despatch, together with a private letter from Butler, and he added:

"Probably no evil consequence will result from his leaving Mexico after he has negotiated the new Convention with Mexico respecting Boundary, etc., and before the ratification of it by the authority of the Mexican Congress. Whenever you have decided upon his request, I will hasten to let him know the decision that he may act in conformity to it."²

In his private letter to the President, Butler adopted a different tone. He was in doubt, he said, whether it was the President's intention that he should return home on leave, or whether he was recalled on account of some neglect of duty "or the commission of some act unworthy the character and station of a public functionary." He had never wanted to stay in Mexico; his continuance in office had involved great pecuniary "sacrifices"; his only reward had

¹ Butler to McLane, July 1, 1834; H. R. Doc. 42, 25 Cong., 1 sess., 37.

² Forsyth to Jackson, Aug. 11, 1834; *Jackson MSS.*

been "a proud consciousness" that his labors had been successful; he wished to know who were his accusers; and he was then and always ready to confront them.¹

He had previously written to Jackson that he wanted to go home and have an hour's confidential talk, after which he could return to Mexico "prepared to be much more *useful*."² Butler, however, was in no haste for his confidential conversations, and during the rest of the year 1834 he did nothing. Early in the winter of 1835 he began writing more confidentially and mysteriously than ever. On February 26, 1835, he wrote to the President that one stumbling-block only was in the way, "but I pledge myself to you—mark me—I give you my pledge, that your administration shall not close without seeing the object in your possession."³ Again on March 31, 1835, he wrote that the additional article to the treaty of 1819 was agreed upon and would shortly be signed and that he was convinced the United States would gain jurisdiction over a very valuable tract of country (between the Sabine and the Neches); and that in addition "by the establishment of the true line, a door will be opened to us, through which we may enter for the satisfactory arrangement of a question of much deeper interest to us than the mere marking of a boundary line."⁴

At length, on June 6, 1835, Butler arrived in New York, and on June 9 he reached Washington, where he had several interviews with the President and the Secretary of State. Forsyth was much too wary to let Butler get away without putting his statements in writing, and accordingly on June 17 the latter prepared a paper in which he set out the state of the boundary negotiations. At some length he explained the causes of the delay in reaching any conclusion, and then went on to state that the existing difficulty was explained in a note dated March 21, 1835, from Ignacio Hernandez, whom he described as a Catholic priest inti-

¹ Butler to Jackson, July 2, 1834; *ibid.*

² Butler to Jackson, June 6, 1834; *ibid.*

³ Butler to the President; H. R. Doc. 351, 25 Cong., 2 sess., 555.

⁴ Butler to Forsyth, March 31, 1835; H. R. Doc. 256, 24 Cong., 1 sess., 4; H. R. Doc. 351, 25 Cong., 2 sess., 556.

mately acquainted with Santa Anna and confessor to his sister, "and known as the manager of all the secret negotiations of the palace." In this note, evidently written on the eve of Butler's departure from the city of Mexico, the writer said:

"The negotiation you have so long desired to effect is as I have often told you perfectly within your power, nothing is required but to employ your means properly. Five hundred thousand judiciously applied will conclude the affair and when you think proper to authorize me to enter into the arrangement depend upon my closing it to your satisfaction."¹

Forsyth hastened to show this precious letter to the President, who returned it to the State Department with the following indorsement:

"Nothing will be countenanced by the Executive to bring this Government under the remotest imputation of being engaged in corruption or bribery—we have no concern in the application of the consideration to be given; the public functionaries of Mexico may apply it as they may deem proper to extinguish *private claims* and give us the cession clear of all encumbrance except the grants which have been complied with. June 22—35. A. J."

That Jackson ought to have dismissed Butler from the service at once is, of course, apparent; but his invincible determination to stand by his old friends interfered. Forsyth, we may guess, urged that Butler ought to be superseded, but a middle course was finally decided on. Under date of July 2, 1835, Forsyth wrote to Butler as follows:

"I have presented for the consideration of the President your letter of the 17th relating to a negotiation with Mexico for Texas. By his directions I have the honor to inform you that no sufficient reason appears upon it for any changes in the instructions that have been heretofore given to you on that subject. With an anxious desire to secure the very desirable alteration in our boundary with Mexico, the President is resolved that no means of even an equivocal character shall be used to accomplish it. It is due to the occasion to say to you also that on the examination of your communications on this subject

¹ Butler to Forsyth, June 17, 1835; *State Dept. MSS.*

connected with your verbal explanations, no confidence is felt that your negotiation is likely to be successful, but as you entertain a confident belief that you can succeed in a very short time, it is deemed proper to give you this opportunity of benefiting your country by your exertions and of doing honor to yourself. The President however, directs me to say that the negotiations must be brought to a close at once so that the result may be known by the meeting of Congress as provision must be made in case it is successful, for carrying it into execution. You will be expected in the United States as soon as it is closed to report the result, whatever it may be, to the President."¹

Butler left Washington on the third of July and passed through Texas on his return to Mexico just before the outbreak of the revolution. The patience of the Mexican government at last gave way under this circumstance. Writing to the Mexican chargé d'affaires in Washington on October 21, 1835, the Minister of Foreign Relations said that it was manifest that public opinion was very unfavorable toward Mr. Anthony Butler, "to whom are imputed intrigues unbecoming a diplomatic agent which imputation is strengthened by the present occurrences in Texas, the revolt there having commenced whilst that gentleman was in those parts." And the government of the United States was, therefore, to be requested to recall Mr. Butler in order to avoid the necessity of "tendering him a passport."²

Butler, of course, accomplished nothing during the remainder of his stay in Mexico, but he wrote repeated letters to the Secretary of State inquiring whether his time would not be extended beyond the first of December, and urging that his efforts were paralyzed by the uncertainty of his position. His uncertainty must have been greatly increased by the receipt of instructions dated August 6, 1835, in which he was told that, as the port of San Francisco on the western coast of Mexico would be a most desirable place of resort for whaling vessels and far preferable to those to which they had access, the President had directed that an offer be made to Mexico of an additional five hundred thousand

¹ Forsyth to Butler, July 2, 1835; *State Dept. MSS.*

² Monasterio to Castillo, Oct. 31, 1835; H. R. Doc. 351, 25 Cong., 2 sess., 719.

dollars if the boundary line could be so varied as to include not only Texas but also the Bay of San Francisco.¹ Why these instructions should have been sent at that time, in view of the recognized hopelessness of any result, is not apparent, unless it was to satisfy Eastern owners of whaling vessels that something was being done in their interest.

Finally, on December 16, 1835, Butler was informed that, as the time for his return to the United States had expired, the nomination of his successor would be sent to the Senate on the following day; and he was further told that the government of Mexico had asked for his recall.² On receipt of this Butler was furious. He wrote that the instructions of July 2 had not been received by him until the evening before he left Washington, and were not read until he was nearly in Mexico. Had he known what they contained on the subject of Texas he would have resigned; they were contrary to the President's own words, and contrary in fact to what Forsyth had led him to believe in conversation; "and just at the period," said Butler with extraordinary insolence, "when a favorable moment presented itself to renew the work, I am discharged from office."³

To appreciate the full humor of Butler's suggestion that the time was favorable for renewing negotiations to purchase Texas, it must be remembered that the Mexican government had asked for his recall, that they believed him to have been concerned in stirring up the revolution in Texas, and that they were straining every nerve to send an army under Santa Anna to reconquer the country.

Butler lingered on in the city of Mexico for six months after his successor arrived, and finally left after the most absurd series of quarrels with the Minister of Foreign Relations and with the Secretary of War, General Tornel, whom he personally insulted, for all of which the United States government duly expressed regrets. Henceforward Butler disappears from this narrative. He took up his residence

¹ Forsyth to Butler, Aug. 6, 1835; H. R. Doc. 42, 25 Cong., 1 sess., 18.

² Forsyth to Butler, Dec. 16, 1835; H. R. Doc. 351, 25 Cong., 2 sess., 158.

³ Butler to Forsyth, Jan. 15, 1836; *ibid.*, 573.

in Texas, where the remainder of his life was passed in deserved obscurity.

With his retirement, Jackson's efforts to purchase Texas came to a close. They had been conducted in such a manner as to reflect discredit on his administration, both at home and abroad, and with the result of increasing materially Mexican distrust of the intentions of the American government and of adding to the difficulty of preserving amicable relations in the future.