

tion caused me to say that I could give him (Mr. Butler) a quit claim on the city hall (in which we were seated), and that the one would be as good as the other.

"After leaving Mr. Butler, I wrote a letter to Mr. Gillet, protesting against the sale of any of those lands by him, under the existing circumstances, to which he did not think proper to reply; and *I afterwards ascertained that he did make sale of the interest of the government in the three tracts covered by the deed of trust.*¹ * * * *

"Mr. Gillet had in his possession these evidences of the value of this tract, [as given in the footnote], which the government sold to Mr. W. W. Corcoran for \$1,001, against the protest of the trustee, in whom the legal title is vested.² * * * *

"I forbear comment on this transaction, except to add that Mr. Gillet had in his possession documents showing that Mr. Swartwout purchased from Frost Thorn the tract No. 876, on the twenty-fifth of January, 1835, for the sum of \$9,688.60, which sum he actually paid as shown by the receipt of the said Thorn; to which sum all taxes subsequently paid must be added, besides the cost of the buildings and the improvements made thereon, as shown by the letter of James Fortune, before referred to [and particularized in the footnote mentioned].

"The tracts, Nos. 877 and 878, on Mr. Gillet's list, *are also included in the deed of trust*, and consist of 48,000 acres each, yet to be located on any part of the vacant lands in Texas. The right to locate these tracts is unimpaired by lapse of time, and yet Mr. Gillet has sold No. 877 to a Mr. Johnson Price for \$525, and No. 878, to a Mr. Alexander R. McKee, for \$525.

¹ "The first tract, No. 876, is situated on the forks of the rivers Angelina and Attoyaca. Among the papers deposited by me in the solicitor's office, are the following relative to this tract:

County of Nacogdoches, republic of Texas.

"The undersigned, assessor of the aforesaid county, does hereby certify that Frost Thorn, of said county, has returned to me 48,708 acres of land, situated on the forks of the rivers Angelina and Attoyaca, and that the same is assessed at fifty cents per acre, or for the sum of \$24,354; the taxes of which are \$121.77.

Nacogdoches, 4 Nov. 1837.

HADIN EDWARDS, assessor."

"There is also a letter written by James Fortune, and dated Nacogdoches, 15 August, 1839, describing the lands of this tract as among the best in the country, and selling for four and five dollars per acre, with the certainty of a large increased value as the country would become settled."

² "But another strange feature in this case is found in the fact that John S. Thorn had bid for this tract \$1,000, and that Mr. Corcoran's bid of \$1,001 was accepted. This was close shaving, as we say in Wall Street.

"In an interview I had with Mr. Corcoran, in Washington, he stated that the tract had then cost him over \$6,000. Knowing that the title to the land was clearly established by the documents deposited by myself in the solicitor's office, and that the taxes were paid, and the record showing that the purchase made by Mr. Corcoran was \$1,001, *I was unable to understand how it could have cost him \$5,000 more.* To satisfy myself, I went to the treasury, and made a copy of his letter of bids for the property advertised by Mr. Gillet, of the following is an extract:

Washington, 25th October, 1847.

"Sir: For the following property advertised by you on the 17th of August last, and to be sold this day, I make the bids below stated."