

every disposition, on the part of the government of Texas, to preserve friendly relations, will, he is assured, cordially be reciprocated.

With sincere anticipations, that these unsettled matters, that depend upon the fixation of the boundary, may be so arranged as to give satisfaction to both parties, and preserve that line of conduct which mutual interests prescribe, the Undersigned renews to the honorable R. A. Irion, Secretary of State, assurances of his distinguished consideration.

ALCÉE LA BRANCHE.

To the Honorable  
R. A. IRION,  
*Secretary of State of the Republic of Texas*

HUNT TO IRION.<sup>a</sup>

TEXIAN LEGATION  
WASHINGTON CITY  
*3rd. March 1838.*

Despatch  
No. 31.

SIR,

I herewith transmit you all the written interchanges which have occurred between this Legation and the Department of State of the United States since my Despatch No. 30.

The Secretary of State addressed me a note last evening requesting my presence at the Department this day at 11 o'clock A. M. What the nature of his business is I cannot at present conjecture; but I will append the substance of our interview if it is of any importance as soon as I return. In the mean time I will suspend any additional remarks until I know its nature.

I have just returned from the conference with the Secretary of State who after the usual courtesies, on my arrival at the Department, mentioned that, he had desired an interview with me to communicate a disagreeable fact. He said he regretted to know through the Charge of the United States near the Government of the Republic of Texas that the land law authorising surveys etc. etc. had gone, or, was about to go into operation in that portion of the Territory, between the Red and Sabine rivers claimed by both Governments, and that it was his disagreeable duty under the circumstances to direct the marshal<sup>b</sup> of the United States whose jurisdiction extended to

<sup>a</sup>A. L. S.

<sup>b</sup>In the original first spelled "martial," then corrected.

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that portion to arrest any person or persons who should be found surveying any portion of said lands.

I stated to him that the land law alluded to was the Supreme law of the land in the Republic of Texas and I could guarantee to the United States that my Government would make void any surveys which its citizens might make under its directions or sanction should such surveys be found to be without the limits of Texas upon the final settlement of the question, between the two countries. That Colo. Milam and others in Texas, had for their own information, with good surveying instruments for that purpose passed on a direct line from the 32d. Degree of North Latitude on the Sabine river to the same point on the Red river; and there was a general concurrence among the citizens as to where the line would run when it should be officially surveyed or within a few miles thereof.

Mr. Forsyth then said that no circumstances which I could present would vary the determination of this Government.

I mentioned the deep regret that the President of Texas would experience at the slightest difference between the two Governments, and stated that the law authorizing the land offices etc. etc. was not within his control, that he had vetoed it but that it had gone into operation by a constitutional majority of both houses of Congress without his signature. He then remarked that the President of the United States felt every assurance that the President of Texas had the kindest and most amicable feelings towards this government, but that the Government was fixed in its determination to resist with force if necessary the execution of the land law of Texas in the said territory, and that instructions would be given to the Governor of Arkansas to support the martial in the execution of his instructions I expressed a hope that nothing serious would grow out of the affair; and further added that the congress of Texas was, I had no doubt at the time of the passage of the law authorizing the opening of land offices, under the impression that, the boundary line would be established before the said law would go into operation which circumstance it appeared to me, was entitled to some consideration in preventing this Government from an immediate action thereon. I also stated the land law aforesaid had imposed proper restrictions touching the border territory in contemplation of a speedy adjustment.

I remarked in continuation, that it was unnecessary for me to repeat the anxiety so often manifested on behalf of my Government that the boundary line should be finally established. He still expressed a hope that nothing unpleasant would grow out of the course which he had felt it his imperative duty to pursue touching the orders issued to the martial and the Governor of Arkansas.

I would recommend, most respectfully, through you to his Excellency the President of Texas, the propriety of exerting his private influence to induce the officers in the County of Red River to suspend the opening of the land offices and all surveys under the land law until the boundary line can be established, which may be expected in a very short time.

The views expressed in the first part of my Despatch No 29, I refer you to as my present opinions on the Question of annexation. The information in regard to the appointment of a new Cabinet may be correct but I have no confidence whatever in its favourable considerations of the subject of annexation.

The Sub-Treasury Bill is still under consideration in the Senate, which has prevented the consideration of Col. Preston's Resolutions relating to Texas. I expect they will be taken up the latter part of this, or the first of next week.

I was very much gratified on receiving your letter of information and instructions by the hands of the Surgeon General. I attended the next day to its contents in verbal interchanges with the Secretary of State.

Should you not have forwarded me the necessary power to make a treaty of limits, please do so without delay. I alluded to a new power, which, I discover, I called commission, in my Despatch No 20 from Vicksburg, which if forwarded I did not receive.

This Government has, manifestly, been disposed to delay the fixation of the boundary line; notwithstanding my note of the 4th. of August to Mr. Forsyth on the subject, and my repeated communications relative thereto; nor did he apprise me until just before my Despatch No 29., that the time limited by a treaty with Mexico and the United States for that purpose, had expired; nor had he replied to my note on the subject up to that time. He then made a verbal statement saying, that the treaty on the subject was at an end, and must be renewed, with Texas, before commissioners for that purpose could act.

I was gratified to receive, through you, instructions from the President, to abstain from the further intimation of a solicitude on the part of my Government for annexation. Since Mr. Forsyth's note declining a negotiation on the subject, I have in every conversation with him touching it observed the greatest reserve and delicacy, and nothing would have induced a renewal of the subject but positive instructions from my Government in that behalf.

I am glad to learn that our Indian relations on the frontiers are assuming a more amicable shape and I cordially hope will long continue.

I am equally so to know that the Republic is in other respects prosperous and happy and we may unite in our congratulations that

amidst all our vicissitudes, a kindlier spirit pervades our infant Republic, and that that is the Spirit of Liberty.

I have the honor to remain,  
with the greatest respect,  
your ob't. sv't.

MEMUCAN HUNT.

To the Honorable  
R. A. IRION,  
*Secretary of State.*

P. S. The Secretary of the Legation, who is absent, and will continue so for a few days, is in excellent health.

M. H.

[Here follow copies of Hunt to Forsyth, February 19, 1838, announcing that Sandy Harris, Esq., has been appointed private secretary to Hunt, and of Forsyth's reply in acknowledgment on the same day.]

DEPARTMENT OF STATE,  
*Washington [City], 21st. February, 1838.*

SIR,

I have the honor to communicate a copy of a Circular from the First Comptroller of the Treasury of the United States, addressed to the officers of the customs, instructing them to give to the vessels and productions of Texas the benefits of the fifth and sixth articles of the Treaty between the United States and Mexico.

As those articles will go into operation on the fifth of April, next, I have the honor to request that you will forward the enclosed circular so that it may reach your government before that time.

I embrace this opportunity to offer you renewed assurances of my great consideration.

signed, JOHN FORSYTH

To the Honorable  
MEMUCAN HUNT,  
etc. etc. etc.

Circular  
To Collectors, Naval Officers and Surveyors.

TREASURY DEPARTMENT,  
*First Comptrollers office, February 17, 1838.*

SIR,

Referring to the circular from this office, of the 2nd. instant, I have to communicate for your Government that, by information received from the Department of State, it appears the fifth and sixth articles

of the treaty with Mexico are held to be obligatory on the Republic of Texas. It results, therefore, that the vessels and productions of the latter, being placed on equal footing in carrying on its commercial intercourse with the United States, are to be treated with reciprocal favour, and enjoy the like privileges and exemptions that are extended to the vessels and productions of Mexico.

Accompanying this, you will receive, for the use of your office a set of laws enacted at the first session of the Twenty-fifth Congress.

Special and explanatory instructions having been issued almost simultaneously with their enactment in respect to such of those laws as were more directly connected with the revenue system, and to which your instant attention was necessary, I have only, at this time, to enjoin their due observance.

I deem it proper, however, to call your pointed attention to the following proclamations of the President of the United States, viz:

1st. Proclamation, dated the 24th of June, 1837, respecting the dominions and dependencies of the Sultan of Muscat.

2d. Proclamation, dated the 24th. of June, 1837, respecting the dominions of the King of Siam.

3d. Proclamation, dated the 14th of June, 1837, declaring that the *tonnage duty* on the vessels of the Kingdom of Greece are thenceforward to cease to be levied in the ports of the United States.

4th. Proclamation, dated the 11th of October, 1837, declaring the fact, that the *duties* payable by the vessels of the Kingdom of Portugal, prior to the 25th of May 1832 are from that day to be levied and exacted.

The object of these proclamations appeared to be so obvious as to require no particular explanation.

I am, Sir, verry respectfully,  
your Obedient Servant,

Signed,

GEORGE WOLF  
*Comptroller.*

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TEXIAN LEGATION  
WASHINGTON CITY,  
25th February, 1838.

SIR,

I have the honor to acknowledge the receipt of your note of the 21st. instant, enclosing a copy of a circular of the First Comptroller of the Treasury of the United States, addressed to officers of the customs, instructing them to give to the vessels and productions of the Republic of Texas the benefits of the fifth and sixth articles of the treaty between the United States and Mexico, with a request that

I communicate the same to my Government, which it affords me great satisfaction to do.

I take this opportunity to tender you additional assurances of my distinguished consideration,

MEMUCAN HUNT

To the Honorable

JOHN FORSYTH, *Secretary of State of the United States.*

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HUNT TO FORSYTH.<sup>a</sup>

TEXIAN LEGATION

WASHINGTON CITY

8th March, 1838.

SIR,

At our recent interview, you called my attention to the fact that, orders would be issued, under the authority of the Government of the United States, to the proper authorities in the State of Arkansas, to arrest such of the citizens of the Republic of Texas, as should be found, at any time, surveying any portion of the territory, now claimed by both countries. And being desirous that nothing should pass unnoticed, which might tend, in any degree, to stay these peremptory proceedings, I have the honor to transmit herewith, a printed copy of the general land law of the Republic, passed at the last session of Congress, to a part of the 39th section of which, I would most respectfully ask your particular attention.

I have the honor to renew the proffer of my distinguished considerations.

signed, MEMUCAN HUNT

To The Honorable

JOHN FORSYTH,

*Secretary of State of the United States.*

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HUNT TO IRION.<sup>b</sup>

Despatch No. 32.<sup>c</sup>

TEXIAN LEGATION,

WASHINGTON CITY,

9th March, 1838.

SIR,

Since writing you on the 3d. instant, I have addressed Mr. Forsyth a note, of which, the foregoing<sup>d</sup> is a copy, and which I lose no time in

<sup>a</sup> See Hunt to Irion, March 9, 1838.

<sup>b</sup> L. S.

<sup>c</sup> This number was entered after the letter was received. See Hunt to Irion, March 12, 1838.

<sup>d</sup> See Hunt to Forsyth, March 8, 1838.

transmitting to you. I will forward the answer if he replies to it, without delay.

I have nothing of importance to communicate since my last, save the declaration to me, of several members of Congress from the South that, unless Texas is annexed to the United States, they are favourable to, and will advocate its annexation to the slave holding States. And that they prefer a dissolution of the Union, and the acquisition of Texas, to their present position in the Union without her.

And intimations have been made to me within a few days, which may make it proper for me to return home, if I remain but a few days, during the approaching session of Congress.

I will perhaps, write again shortly on this subject.

I have the honor to be  
your obedient servant

MEMUCAN HUNT.

To The Honorable  
R. A. IRION  
*Secretary of State.*

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FORSYTH TO HUNT.<sup>a</sup>

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HUNT TO IRION.<sup>b</sup>

TEXIAN LEGATION  
WASHINGTON CITY  
*12th March 1838*

Despatch No. 33.

SIR,

I herewith, transmit a copy of Mr. Forsyth's reply to my note of the 8th., communicated in my despatch of the 9th instant, which I wish you to mark "Despatch No. 32," as it was unintentionally neglected.

You will perceive that the tenor of this note, is entirely amicable, and I most sincerely hope that, nothing unpleasant will result from the proceedings of the two Governments upon the frontier.

I alluded in my last, to the propriety and possibility of my returning home, if but for a short time, during the approaching session of Congress. This, however, I shall decline for the present, unless my recent request to be recalled, be complied with in the mean time.

The object I then had in view, was to enable myself to express more at large and particularly, my opinion as to the delicate attitude of the

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<sup>a</sup> March 9, 1838. See Hunt to Irion, March 12, 1838.

<sup>b</sup> L. S.

United States, in reference to the question of annexation. This I will now endeavour to do in very few words.

It is decidedly my opinion, and that of many distinguished gentlemen from the Southern States, that unless Texas is annexed, this Union will, at no distant period, be dissolved; say a few years. This will be the result of an interference on the part of the Northern States with the institutions of slavery in the South. Whereas, the annexation of Texas would give a preponderance in the Senate in favour of the South, and thereby, afford an ample security against the encroachments of the North, in the representative branch of the Government.

But should annexation fail, a similar security could be anticipated from no other source.

The ratification by Texas, of a treaty between that country and Great Britain, would indefinitely postpone the question of annexation here, as the Constitution of the United States precludes the admission of a state, whose duties and foreign policy differ from the rest.

Domestic Slavery in the United States and Texas, must, from various circumstances, stand or fall together. The failure of annexation will hazard an attack upon those institutions in civil warfare between the States holding, and those opposed; for the fanatical spirit of abolition, is unquestionably on the increase, and will so continue, in my humble judgment, unless annexation should ultimately prevail. Should this be the case, it would be so great a triumph as to check its progress, if not entirely, certainly to an extent, that would cause the slave holding States, as well as Texas, to feel a perfect security.

Apart from this question, there can be but one opinion as to the propriety of concluding treaties, with foreign powers, at as early a day as practicable. But that institution, should Texas remain alone, would make her the only sovereignty where slavery is common throughout; and as such, would subject her to assault from any quarter. While on the other hand, an union with the United States, would secure at once, the sympathy of the South upon that subject, and the friendship of the North from motives equally strong, those of permanent interest.

This must be my apology for recurring so often and so zealously to this subject.

I have the honor to be  
Your obt. servant

MEMUCAN HUNT

To the Honorable  
R. A. IRION,  
*Secretary of State.*



DEPARTMENT OF STATE,  
*Washington [City,] 9th. March 1838.*

SIR,

I have the honor to acknowledge the receipt of your note of yesterday's date, transmitting a printed copy of the General Land law of Texas, passed at the last session of the Congress of that Republic, and calling my attention to a part of the 39th section of the law with a desire that it might tend to stay proceedings under instructions of this Department which you were informed would be given.

I have examined that section, which, if it was framed with a view to prevent collisions that might arise from the execution of the law in the disputed territory, seems to me not to be as definite on that subject as could have been wished. Its efficiency for that object will consequently depend upon the manner in which it may be executed, which, I trust, will be with a proper regard to the Rights of the United States.

In that case, so far as regards the operations of the Texian land office, the authorities in the State of Arkansas may not find it necessary to act under the instructions that have been given them from this Department.

I avail myself of this occasion to offer you renewed assurances of my distinguished consideration.

signed, JOHN FORSYTH.

To the Honorable  
 MEMUCAN HUNT  
 etc. etc. etc.

IRION TO HUNT.

DEPARTMENT OF STATE,  
*City of Houston, March 21st. 1838.*

SIR,

I have the honor to acknowledge the receipt of your despatch of the 8th. instant, which came to hand yesterday.

I sincerely deplore the present aspect of the relations between the U. States and Texas respecting the boundary line. It has become a subject of discussion between the Chargé d' Affaires of the U. States at Houston and this Government.

This discussion grew out of the protests which the Hon. Chargé considered himself called upon to make when he ascertained that the Congress of Texas had, by special enactments, organized the disputed territory, and established Land Offices therein for the location of Lands.

In reply to his communication I cited some historical facts showing that Mexico had uniformly regarded that territory as being clearly within her limits, and that the Government of that country had from time to time taken steps to organise it, which their political condition prevented; and, that, therefore, no right which Mexico ever possessed relative thereto had been impaired on the score of prescription; and that Texas must be considered as the successor of the country from which she separated so far as respects the territory in question; expressing at the same time the great anxiety of this Government to have the line run, and some of the causes, connected with the defence of the country, which render the consummation of that object so very desirable and important to Texas. He misapprehended the positions which were taken in my communication and made the most extraordinary answer that I have yet read in diplomatic correspondence.

By direction of the President I forward you the general power. If the Government of the U. States insist on a Convention, to confirm the treaty of limits, and authorise arrangements for running the boundary line, you will enter into the negotiations which may be necessary to effect those objects.

This Government has no objection to such a formal recognition of rights which are as binding on the respective parties without it, except the delay which its ratifications will occasion. Treaties of limits do not, like those of commerce, expire at given periods, but are as permanent as lines designating private possessions, which can never be changed unless by the consent of the parties concerned. For your government in the negotiations relating to the boundary I refer you to instructions heretofore given on the subject.

The present boundaries of Texas as fixed by an act of Congress are as follows, viz,—Beginning at the mouth of the Sabine River and running west along the Gulf of Mexico three leagues from land to the mouth of the Rio Grande; thence up the principal branch of said river to its source, thence north to the forty second degree of north latitude; thence along the boundary line as defined in the treaty between the United States and Spain to the beginning.

This Government does not wish to run the line at present farther than the 100th. degree of West longitude to a point on Red River in latitude nearly  $33^{\circ} 30'$ , leaving a distance of eight or nine degrees to be run at a future time when it can be done with less hazard and expense.

The region north of Red River through which the line will pass is inhabited by hostile Indians, which circumstance would render it necessary to send a considerable guard to accompany the Commissioners and Surveyors. It is hoped that the Government of the U.

States will not insist on running the line beyond the point above indicated on Red River.

I have received despatches from General Henderson up to the 22nd. of December last.

He had had several conferences with Lord Palmerston, who treated him with great courtesy.

His application for the immediate recognition of the Independence of Texas by the Government of Great Britain had been considered by the Cabinet, who had declined acting decisively thereon at that time.

It is highly important to us that the question of annexation should be disposed of immediately, for it will embarrass our negotiations in Europe as long as it is pending at Washington.

The Canada insurrection has also had an unfavorable influence on our affairs in England.

I have stated to Gen. Henderson that I would request you to keep him regularly informed with respect to the debates that may take place in the United States' Congress on Mr. Preston's resolutions, or any other subjects that relate to annexation, which I hope you find it convenient to do. It is necessary that he should have the earliest possible intelligence on that subject.

There is no prospect of an invasion this spring. Political matters in Mexico are coming to a crisis. The Constitution of '24 will, it seems, be re-established within the next two or three months. Gen. Ur[r]ea has declared for the constitution in the state of Sonora. Gen. Cos is in Tamaulipas and has joined the Federalists.

The Emigration during the last fall and winter was immense.

The depressed condition of the Enemy, and the rapid increase of our population have tended greatly to render the people indifferent to annexation.

I have the honor to be, sir, with great respect your Obt. Servant,  
R. A. IRION.

Hon. M. HUNT,  
*Minister Plenipotentiary of  
Republic of Texas, Washington City, D. C.*

IRION TO HUNT.

MARCH 21st. 1838.

DEAR SIR,

The accompanying communication will inform you on matters relating to Texas.

I conversed with the President on the subject of your request to be recalled before he left for Nacogdoches.

He gave me no definite instructions relative thereto. I do not think he is willing that you should leave Washington till the question

of annexation shall be settled, which, I presume will be in a short time.

The boundary too has become a very important question. It will be necessary for you to procure, if possible, the appointment of a Commissioner on the part of the U. States. The Power which is forwarded invests you with full authority to act.

Should the U. States' Government insist on running the line the whole distance, I am at a loss to advise you what to do. Congress having made no provision for running it farther than the 100dth. degree of West Longitude on the Red River.

From that point to the 42nd. degree of north latitude it is a wilderness of savages and will not be settled for many years to come.

Upon the whole, considering the great importance of having the line defined with as little delay as possible, if you cannot induce that Government to limit the present operation to the point above indicated, it will be best to consent to run it to the 42nd.

I will write you again on the return of the President.

R. A. IRION.<sup>a</sup>

Hon. M. HUNT  
*Washington City*

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LA BRANCHE TO IRION.<sup>b</sup>

LEGATION OF THE UNITED STATES,  
*Houston, March 23d, 1838.*

SIR:

I have the honor, herewith, to transmit you a copy of a Circular addressed by the Treasury Department of the United States to officers of the Customs, notifying them of the approach of the period for the operation of the 5th and 6th articles of the Treaty between the United States and Mexico, and instructing them to give the benefits of those articles to the vessels and productions of the Republic of Texas.<sup>c</sup> The equality and reciprocity they stipulate, it is expected, will be extended by this government to the vessel and productions of the United States which may arrive in the ports of Texas after the 5th of April next.

I am, Sir,  
with great consideration,  
Your obedient Servant,

ALCÉE LA BRANCHE.

Hon. R. A. IRION,  
*Secretary of State  
of the Republic of Texas.*

<sup>a</sup> The words "Hastily, yr. friend etc" above the signature are marked out.

<sup>b</sup> A. L. S.

<sup>c</sup> The circular is not now with this letter; but see Forsyth to Hunt, February 21, 1838.

## BIRDSALL TO LA BRANCHE.

DEPARTMENT OF STATE

*March 26th 1838.*

SIR

The undersigned acting Secretary of State of the Republic of Texas, has the honor to acknowledge the receipt of the note of Mr. La Branche Chargé De' affairs of the United States of America dated 23d inst, with the accompanying Circular from the Treasury Department of his Government to its officers of Customs.

In the Circular it is stated that by information received from the department of State, It appears the fifth and sixth Articles of the Treaty with Mexico are held to be obligatory on the Republic of Texas. While the undersigned assures Mr La Branche of the earnest desire of this Republic to cultivate the most friendly intercourse with the United States, and expecially upon those principles of equality and reciprocal favour which should always characterise the commercial relations of friendly States, he cannot yield his assent to the proposition that the commercial stipulations of the treaty with Mexico are obligatory upon the Government of this Republic.

The events of our Revolution, the great changes in territorial and political organization incident to it, necessarily make the application of the treaty, to the new order of things, a question of mere expediency addressed to the discretion and reciprocal interests of the two countries.

Not doubting however that the measures of this Government will meet the expectations of the United States, in regard to the commercial intercourse between them, The undersigned will lay before the President who is yet absent, the note of Mr La Branche, and the accompanying Circular at the earliest opportunity after his return, in order that this Government may take the necessary action upon the subject.

I am Sir

With great consideration  
Your Obt Servant

JOHN BIRDSALL

HON. ALCÉE LA BRANCH,  
Charge De affairs of  
the United States of America

LA BRANCHE TO IRION.<sup>a</sup>

LEGATION OF THE UNITED STATES,

*Houston, 29th March 1838.*

The Undersigned, Chargé d' Affaires of the United States; having been informed by the honorable Secretary of State of this Republic,

<sup>a</sup> A. L. S.

that his excellency the President had waived, upon further consideration, all objections to the claim for the brig Pocket, and would recommend the payment thereof to Congress, has the honor to request an interview with the honorable Secretary of State, in order to bring the whole matter to a final adjustment.

The Undersigned takes this opportunity of renewing to the honorable Mr. Irion assurances of his perfect consideration and respect.

The Honorable

R. A. IRION

*Secretary of State of the  
Republic of Texas*

ALCÉE LA BRANCHE

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IRION TO LA BRANCHE.

DEPARTMENT OF STATE,

*City of Houston, March 29th. 38.*

The undersigned has the honor to acknowledge the receipt of the Hon. Mr. La Branche's note of to-day, requesting an interview on the subject of the Brig Pocket.

The undersigned will be happy to see the Hon. Mr. La Branche at this Department on to-morrow evening at 4 o'clock.

The undersigned embraces this opportunity of renewing to the Chargé d' Affaires of the U. States the assurances of his distinguished consideration and respect.

R. A. IRION

Hon. A. LA BRANCHE

*Chargé d' Affaires of the U. S.*

Houston.

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HUNT TO IRION.<sup>a</sup>

TEXIAN LEGATION

WASHINGTON CITY

*13th April 1838.*

Despatch No 34.

SIR,

I have just received your letter of the 21st of March, accompanied by a full power from the President for various purposes. I communicated the fact to the Secretary of State of the United States immediately after their receipt, and am happy to inform you, that he has been instructed by the President, to open a negotiation with me imme-

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<sup>a</sup> L. S. ; postscript in Hunt's hand.

diately, for the renewal of an agreement, to appoint commissioners and time, and place, for their meeting, to establish the boundary line permanently, between the two Republics, in conformity with the treaty of the Spanish Government of 1819 and as renewed by the Government of Mexico in 1828. Mr. Forsyth has receded from his demand to establish the line the whole distance to the Pacific, and thinks it will be best for both parties to make it only so far as it is desired to be done by the Texian Government at this time.

The Government of the United States, is very desirous, I have no doubt, to procure the Bay of St. Francisco, on the Pacific, and I apprehended and have now additional evidence to convince me of the fact that, Mr. Forsyth's apparently anxious desire to make the line the whole distance to the Pacific, was to procure from me, the relinquishment of the claim of the Government of Texas, to the right of an extension of its boundary beyond what it was under the Mexican Government. And he expects, I imagine, to be enabled to pass over the claim in the arrangements which we are now making to establish the boundary, in such a manner, as to leave an impression, that the Government of Texas claimed its original boundary, only on its Northern and Eastern frontier. But I will take care in the wording of an article on the subject, that this claim to additional territory, be not overlooked. As a separated Power, the splendid harbours on the South Sea or Pacific Ocean, will be indispensable for us; and apart from the great increase of territory by an extension of the line, the possession of the harbour of St. Francisco alone, is amply sufficient, for any increased difficulties or expence, should there be any in regard to a claim of territory to the Pacific, in a final treaty of Peace with Mexico.

My impression is that, nothing short of coercion, will afford us peace with that nation, and in the exercise of this means, to acquire it eventually, a claim to a large territory, will be as readily conceded to us, when they do so yield, as the former limits of Texas would be; and believing this, it is my duty as minister, to act accordingly, in my claim of territory for Texas, in the absence of instructions from my Government on the subject.

In my intercourse with Mr. Forsyth on the subject of limits, he mentioned, what you had written to me on the subject of, and relative to, the interchanges between the Chargé of the United States and Yourself at Houston.

I smoothed matters over as well as I could, and turned the circumstance to an argument in favour of settling, with as little delay as possible, the boundary question, which I insisted, would terminate all causes for misconceptions and misapprehensions between the two Governments relative thereto, which he conceded, and, as I have no doubt, will prove to be the case.

Mr. Forsyth mentioned to me on yesterday that, he wished to set out this evening, on a short trip to Philadelphia; I expressed a disposition to go to New York for one day, myself, and he proposed, and we agreed, to make the trip together, and complete verbally our negotiations during the progress of our travel; and that so soon as we should return, they should be finally agreed upon, and reduced to writing, and signed for the confirmation of the senate, at the earliest date practicable. The exchange of ratifications will be made in Texas, and so soon as it occurs, and the fact can be communicated officially to this Government, a commissioner will be despatched, for the purpose of complying with the terms of the treaty of limits, with as little delay as possible.

I hope to complete the treaty of amity, commerce and navigation, and of limits, and see them ratified in eight or ten days, when I will immediately proceed to Houston, at which time I will confer more fully with you on the above subjects in person, and all others connected with our foreign relations.

I have the honor to be with great regard

Your Obedient Servant,

MEMUCAN HUNT.

To The Honorable

R. A. IRION,

*Secretary of State.*

P. S. Insist that Congress do not adjourn until I arrive with the treaty, as it would very much delay the final adjustment of the boundary, if it does.

M. H. T.

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TREATY OF LIMITS BETWEEN UNITED STATES AND TEXAS.<sup>a</sup>

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HUNT TO IRION.<sup>b</sup>

TEXIAN LEGATION

WASHINGTON CITY

*28th April 1838.*

Despatch No. 35.

SIR,

I, herewith, transmit a copy of the treaty of limits, which I have effected with this Government. It would have been forwarded the day after it was signed, but for the delay in procuring a copy of a form of ratification. I objected to the power which it confers on the commissioners, and desired that a clause should be inserted, which would leave it discretionary with either Government, to object to the

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<sup>a</sup>April 25, 1838. See Hunt to Irion, April 28, 1838.

<sup>b</sup>L. S.



agreement of the commissioners within three months or less, after they might fix and report the boundary line; but the President of the United States objected to any change in the terms of the original treaty, on the ground that, it would be necessary to make an entirely new treaty, should any portion of it be altered. I hope it may be satisfactory to the President and Senate

I shall not be enabled to leave here in less than eight or ten days for Texas, when I will take with me the original treaty, and reach Houston with as little delay as practicable. In the mean time, should the Senate wish to adjourn before I reach there, the copy I herewith send, can be acted upon, and an order made by the Senate, that the treaty be confirmed. I have procured and appended to this despatch, the form of a copy of confirmation and ratification by the President and Senate of the United States.

\* \* \* \* \*

I will defer adding any thing at large on the subject of our relations with this Govnt., and our prospects of recognition in Great Britian and France, until I reach home.

I have the honor to be your  
Obedient Servet.,

MEMUCAN HUNT

To the Honorable R. A. IRION  
*Secretary of State.*

[Here follows a copy of the treaty, certified by Hunt, April 25, 1838.<sup>b</sup>]

IRION TO HUNT.

DEPARTMENT OF STATE,  
*City of Houston, May 17th, 1838.*

SIR,

\* \* \* \* \*

Under this date I have writen to you at Washington in relation to our affairs.<sup>c</sup>

A proposition is before Congress to authorise the President to suspend the laws of Texas in the disputed territory whenever he may deem it proper, but it is very questionable whether it will pass. I think the chances are against it.

<sup>a</sup> Here a paragraph is omitted relating to Hunt's financial affairs.

<sup>b</sup> See Calendar.

<sup>c</sup> The matter here omitted relates to Hunt's announcement of his intention to be absent from Washington for a time.

<sup>d</sup> The letter here referred to is evidently that of which the copy on file is dated May 18.

The news from Mexico is favorable to us. That country is now undergoing a revolution and in a short time, it is thought, the federal constitution will be re-established. Congress will adjourn in less than ten days.

With great respect  
Yr. obt. Servant,

R. A. IRION.

Hon. M. HUNT,  
*Washington.*

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IRION TO HUNT.

DEPARTMENT OF STATE,  
*City of Houston, May 18th. 1838.*

SIR,

I have the pleasure to acknowledge the receipt of your despatch No. 34.

The boundary question was laid before Congress about four weeks ago, and was referred to the Committees of the Senate and House of Representatives on Foreign Relations. The committee on the part of the House have reported, and recommended the adoption of a resolution investing the President with power to suspend the operation of the laws of Texas in the disputed territory on Red River whenever he may deem it advisable. The committee on the part of the Senate have not reported. The subject was called up in the House to-day and a slight debate ensued.

From indications evinced by certain members I do not think any discretionary power, touching this matter, will be given to the President by Congress—neither do I believe that the said laws will be changed in any respect. There appears to be a fixed determination on the part of a majority of both Houses to persist in the course which has been heretofore pursued. I may, however, be mistaken.

Under this aspect of the case, you will perceive, the only way to terminate the controversy is to run the line; the preparatory arrangements for which, it is hoped, you have ere this agreed upon with the Government of the U. States.

You seem to entertain erroneous opinions with regard to the views of this Government in relation to our western boundary line.

It is not now the desire of this Government to negotiate respecting any territory beyond the limits of Texas as established by the act of Congress. From the source of the Rio Grande the Western boundary line will run to the 42nd. degree of north latitude, intersecting at this point the line of the U. States; thence with the latter line to the 100dth degree of W. longitude from London on the Red River; thence

with said line, as agreed upon between the U. States and Spain by the treaty of 1819, to the mouth of the Sabine.

With respect to the Bay of San Francisco, the South Sea and Pacific Ocean, and the territories bordering thereon, this Government, at the present time, has no concern.

They have no connection with the negotiation now pending on the subject of boundary between this Republic and the U. States. Should the latter Power, while our limits remain as they are, acquire territory in that quarter of the world it must be by negotiations with Mexico and not with us.

If on the other hand we desire an extension of territory in that direction it is a matter between Mexico and Texas, and not with the U. States.

At a future time this Government may, and probably will, by conquest or negotiation, extend its boundary to the Pacific; but during existing relations the President cannot perceive in what manner speculations concerning the territory referred to have any relevancy to the question now under consideration.

Should the Convention of limits not have been concluded before the receipt of this, if agreeable to the U. States' Government, stipulate that it is only to be run at the present time from the 32nd. degree of north latitude on the Sabine to Red River, which is a distance of about one hundred and fifty miles.

I herewith transmit a Convention of Indemnity to American citizens, who suffered injuries by the capture of the Pocket and impressment of the Durango, recently entered into between the Chargé d' Affaires of the U. States and this Government, which has been duly ratified by the Senate of this Republic;<sup>a</sup> and I am directed by the President to instruct you to proceed to the exchange of the ratifications thereof as soon as circumstances will permit. Your Power is deemed sufficiently ample for this purpose.

In regard to the Treaty of Amity, Navigation and Commerce the President prefers that it should be negotiated here. The Hon. Chargé of the U. States has no power authorizing such a negotiation. Will the U. States transfer it to this place?

In the negotiation of this important treaty the peculiar condition of Texas as contrasted with Mexico should be weighed with great deliberation in order that its stipulations may establish our commercial relations with the U. States on terms of reciprocal interests.

The treaty between Mexico and the U. States, although framed as it is in the spirit of equality, contains stipulations that would be objectionable to this Government owing to the great difference between the extent, position and organization of the Government of the U.

<sup>a</sup> See *U. S. Treaties and Conventions*, 1078.

States and Texas. Therefore the President does not desire a hasty conclusion of the treaty.

It is the President's wish in case you are engaged in the negotiation of this treaty, notwithstanding the intimations above made, that you should continue it at Washington; but before its conclusion to communicate with this Government on the subject.

A short delay cannot operate prejudicially to either country as our intercourse will remain in the mean time as it now exists. When your general Power was made out it was not contemplated that you would conclude such a treaty without special instructions thereon.

The President in his late address to Congress recommended the withdrawal of the proposition of annexation in the event that the present session of the Congress of the U. States should adjourn without having acted definitively thereon.

Since that time resolutions have been introduced into both Houses requiring an immediate and unconditional withdrawal, which have been lost principally on the ground that the proposition was made in accordance with a vote of the people, and ought therefore to be withdrawn on the same authority.

The news from the interior of Mexico is favorable to Texas.

That country is in commotion, and it is supposed by those most acquainted with her political condition, that the constitution of '24 will shortly be reestablished, and Santa Anna placed again at the head of affairs.

The Ports of Mexico are blockaded by the French.

a \* \* \* \* \*

I have the honor to be, Sir, with great respect your  
obt. Servant,

R. A. IRION.

Hon. M. HUNT,  
*Minister Plenipotentiary of Texas,*  
*Washington City.*

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IRION TO HUNT.

DEPARTMENT OF STATE,  
*City of Houston, May 19th. 1838.*

SIR,

Should the present session of the Congress of the United States adjourn without having acted definitively on the proposition for the annexation of this Republic to that of the U. States, you are hereby

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\* Here is omitted a brief statement as to Catlett's salary.

instructed, by direction of the President, to withdraw immediately thereafter the proposition aforesaid.

I have the honor to be, Sir,  
yr. obt. Servant,

R. A. IRION.

HON. M. HUNT, *Minister Plenipotentiary of the  
Republic of Texas,  
Washington City, D. C.*

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HUNT TO FORSYTH.<sup>a</sup>

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FORSYTH TO PRESIDENT OF UNITED STATES [VAN BUREN].<sup>b</sup>

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HUNT TO SECRETARY OF STATE OF TEXAS [IRION].<sup>c</sup>

[Hunt tenders his resignation as minister.<sup>d</sup> He will bring the original treaty of limits with the United States to Irion by the boat leaving New Orleans June 15.]

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IRION TO GRAYSON.<sup>e</sup>

DEPARTMENT OF STATE,  
*City of Houston, June 12th. 1838.*

SIR,

It is the wish of the President that you will proceed as expeditiously as possible to Washington, and assume the duties which will devolve on you as Minister Plenipotentiary of this Government near that of the United States of America.

You will on your arrival there take possession of the Archives of the Texian Legation.

With regard to the line of policy which has been pursued relative to the Diplomatic relations between the two Governments, I refer to instructions heretofore given, which will be found among the papers of the said Legation.

With respect to the present condition of Texas, and its policy, both foreign and domestic, you are well informed; and the President having full confidence in your prudence and capacity, relies much on the

<sup>a</sup> May 22, 1838. See Eve to Roberts, November 6, 1841.

<sup>b</sup> May 31, 1838. See Catlett to Irion, June 22, 1838.

<sup>c</sup> June 5, 1838. Written formally in the third person and unsigned.

<sup>d</sup> The resignation was accepted in Irion's reply, June 12.

<sup>e</sup> Grayson did not enter on the duties of his office as minister to the United States.

exercise of your discretion and judgement in the management of our diplomatic affairs at Washington, being assured that you will act in a manner best calculated to advance the true interests of the country. Under these circumstances detailed instructions are deemed unnecessary at the present time.

The Convention of Limits having been ratified by this Government, and it is presumed ere this, by that of the U. States also, you will proceed to the exchange of its ratifications at the earliest possible period.

The peculiar situation of the inhabitants near our North Eastern Boundary renders a speedy action on this subject extremely desirable and important. You will, therefore, after such exchange shall have taken place, urge the necessity of the immediate attention on the part of the U. States to the appointment of the Commissioner etc. contemplated by the said Convention. Concerning the Escort mentioned in the Convention none will be required except the number actually necessary to perform the work; for the whole distance intended to be run and marked at the present time is not more than 140 or 150 miles, which is through a populated country.

It is sincerely hoped that no further impediments will be presented to the definitive and satisfactory adjustment of this question, which has given rise to so much inconvenience to the population referred to, and solicitude to this Government.

I am directed by the President to renew the instructions heretofore given respecting the proposition of annexation. Should the present session of the Congress of the U. States adjourn without having acted finally on this subject, you will immediately after such adjournment withdraw the proposition.

The pendency of this question, as you are well aware, has, and is still embarrassing our negotiations in Europe; which circumstance, inasmuch as the Government of the U. States has declined to entertain the proposition, and no prospect now exists that the measure can be renewed, renders it expedient that this question, so far as the proposition adverted to is concerned, should be finally disposed of without further delay.

When you withdraw the proposition as above indicated you will immediately inform our Diplomatic Agent, Gen. J. P. Henderson, near the Governments of Great Britain and France thereof, in order that he may be in possession of the fact at the earliest possible period. I have informed him that such notice will be given.

I have the honor to be, with great respect your Obedt. Svnt.

R. A. IRION

HON. P. W. GRAYSON,

*Minister Plenipotentiary of R. Texas near the Govmt of the  
the U. States, Washington City.*