

CATLETT TO IRION.^aTEXIAN LEGATION
WASHINGTON CITY*June 22nd. 1838.*

Despatch No 36.

Sir,

I have the honor to acknowledge the receipt of your despatches of date 18th and 19th. ultimo, addressed to Genl. Hunt, together with the convention of indemnity to American citizens for losses sustained by the brigs Pocket and Durango.

I have had several interviews with the Secretary of State on the subject of the treaty of indemnity and although he evinced a disposition from the first to accept it and have it ratified on the part of the United States, he seemed to be in much doubt as to whether it would be received, on account of its not having been ratified by the President under the great seal of the Republic of Texas;—both of which were indispensable to the full and formal completion of the treaty and were of course necessary, before the ratifications could be regularly exchanged. Another difficulty in the way of the exchange of the ratifications was my having no specific power for the purpose.

In consideration however of the smallness of the amount involved and the unimportance of the transaction, (there being no danger of the act being hereafter disavowed on the part of Texas) he yesterday agreed to waive these objections and accept the treaty as it now stands. He told me that he would have the necessary papers prepared and send for me when they were ready. So that in the course of a day or two, I expect to have the pleasure of notifying you of the satisfactory settlement of this matter.

I have the pleasure to inform you, that Mr. Forsyth has authorised me to say that no objection would be made to the negotiation of a Treaty of Amity at Houston instead of this City if the former place were preferred by the Government of Texas, and that proper instructions to that end would be forwarded to Mr. Labranche in case of the treaty with Mexico being objected to on the part of Texas and a new Treaty being desired. He appeared to be under an impression from information he had received from Mr. Labranche, that Texas was unwilling to admit that the old treaty was binding upon her. He said that he had written to Mr. Labranche for the purpose of being more definitively informed upon this head.

In a few days I shall be able to give you some definite intelligence as to the action of Congress upon the subject of annexation. Mr. Preston's resolutions have been laid upon the table in the Senate by

a vote of 24 to 14. In the House, the whole subject was originally referred to the Committee on foreign relations, together with sundry petitions and resolutions relating thereto, and that Committee have lately reported that there was *no proposition before the House for the annexation of Texas*, and on that ground asked leave to be discharged from the further consideration of the subject. Whereupon Mr. Cushing of Massachusetts moved a recommitment to which Mr. Adams moved an amendment, that it be *recommitted* with instructions to report "that any attempt by act of Congress or by treaty to annex the Republic of Texas to this Union would be a usurpation of power, unlawful and void, and which it would be the right and duty of the free people of the Union to resist and annul." This amendment is now before the House and Mr. Adams has been occupying the morning hour upon it for several days. But I have no doubt that it will be defeated and cut off by the force of the previous question, and that the report of the committee will be sustained. Upon this subject however I shall be able to write to you explicitly and in full in the course of a few days.

The following is a copy of an official letter of the Secretary of State to the President of the United States in answer to a call upon the Executive by the House at Mr. Adams' instance.

"DEPARTMENT OF STATE
Washington [City,] May 31, 1838.

To the PRESIDENT OF THE UNITED STATES

The Secretary of State, to whom was referred the resolution of the House of Representatives of the 28th instant, requesting the President to communicate to that House if not incompatible with the public interests, any correspondence, not heretofore communicated, between this Government and that of the Republic of Texas, and also with the Government of any other country, relating to the annexation of the said Republic of Texas to the United States; and to inform the House whether the application of the said Government of Texas to the United States for admission into this Union, has been withdrawn, has the honor to report to the President, that all the correspondence between this Government and that of Texas, respecting the annexation of that Republic to the United States has been already communicated to the House of Representatives, and that the proposition of annexation made by the Texian Government, having been disposed of in that correspondence, has not been since deemed within the control of the United States.

No correspondence upon the subject of such annexation has taken place between this Government and that of any other country. All which is respectfully submitted

JOHN FORSYTH."

You will perceive from this letter that no proposition for the annexation of Texas as coming from Texas is regarded as now pending before the Executive Department;—and should the Report of the Committee on Foreign Relations be sustained, of which I have no doubt, the House will have declared that there is no proposition of the kind at present pending before it;—and the Question in the Senate having been laid on the table, is it not clear that the matter at the adjournment of Congress will be in its original condition, entirely open and untrammelled, and in such a condition that negotiations may be either commenced de novo on the part of Texas, or dropped altogether and forever without the slightest necessity of her saying another word upon the subject, and the whole matter suffered to sleep until the United States think proper to come forward and make the proposition themselves? It would then be for Texas to say whether she would accept it or not.

According to present appearances Congress will adjourn on the 9th of July.

I have the honor to remain
Your obedient servant

FAIRFAX CATLETT

Hon'ble R. A. IRION
Secretary of State
Republic of Texas.

IRION TO LA BRANCIE.

DEPARTMENT OF STATE
City of Houston June 23rd 1838

Sir

With regard to your note of the 23rd March, transmitting a copy of the Treasury Circular, of the United States, dated 2nd February, by which the fifth and Sixth Articles, of the Treaty of Amity, Navigation, and Commerce, existing between the said U. States and Mexico, are declared to be binding on Texas.

I have the honor to state, that the President, having considered the subject, directs me to inform you, that the stipulations indicated by the Circular, will be observed by this Government.

The application on the part of the U. States relative to the treaty aforesaid, calling on this Government, for a declaration, whether or

not it considers the whole treaty obligatory, has also been submitted to His Excellency, for consideration, respecting which, I am likewise directed to state, that it will be observed by this Government, till a new treaty shall be formed.

The pendency, of the proposition for the annexation of Texas, to the U. States, and a desire on the part of this Government, should the proposition not succeed, to form at the earliest practicable period, a new treaty, with that Government, induced the President, to hope, that no emergencies would again arise, while that question remained undetermined, requiring further action on the said treaty, believing at the same time, in as much as the condition of Texas, in many important respects, differs materially, from that of Mexico, that the commercial interests of the United States, and this Republic, could be more satisfactorily arranged, by a new one, framed with a view to the relative position, political organization, extent, resources etc, of both Governments

R. A. IRION

Hon. A. LA BRANCHE,
Chargé d'affaires of the United States. Houston.

LA BRANCHE TO IRION.^a

CITY OF HOUSTON, *June 28th. 1838.*

Sir,

In an interview I had the honor to have with the President yesterday, his Excellency informed me of his intended departure on the 2d of July on a tour through various Indian tribes, and that he would be absent several months. As there are no matters now pending between the two governments, and believing that during his absence nothing of importance can be done, I have the honor to apprise you of my intention to leave the seat of government for a visit to Louisiana. Should any business present itself during that interval I shall be ready to repair immediately to the city of Houston.

With the highest regard
Your most obt. Servt.

ALCÉE LA BRANCHE.

Honble. R. A. IRION.
Secretary of State.

CATLETT TO IRION.^a

Despatch No. 37.

TEXIAN LEGATION,
Washington, July 7th 1838.

Sir,

I have the honor to inform you that the ratifications of the convention between Texas and the United States, relative to claims in the cases of the brigs Pocket and Durango, have been regularly exchanged. The following is a copy of the certificate of exchange.

“ We, Fairfax Catlett, Chargé d' Affaires of the Republic of Texas, accredited to the Government of the United States of America, and John Forsyth, Secretary of State of the said United States—certify that the Ratifications of the Convention between the Government of the United States of America and the Government of the Republic of Texas to terminate the reclamations of the former Government for the capture, seizure, and detention of the brigs Pocket and Durango, and for injuries suffered by American citizens on board the Pocket, signed at Houston on the eleventh day of April one thousand, eight hundred and thirty eight, have this day, with all due solemnities and after due comparison, each with the other and both with the original example of said Convention, been exchanged by Us.

In witness whereof, we have signed this Act, in duplicate, and have sealed the same with our respective seals at Washington, this sixth day of July, in the year of our Lord one thousand, eight hundred and thirty eight.

(seal)	FAIRFAX CATLETT
(seal)	JOHN FORSYTH

In exchange for the copy of the convention which I placed in his hands, being the same as was transmitted by you, Mr. Forsyth gave me a formally ratified copy on the part of the United States;—this copy being handsomely bound in black velvet, and having the great seal of the United States suspended from it with large tassels, and the whole, when enclosed in its case, presenting the form and appearance of a splendidly bound folio volume. A similar ceremonial was expected to have been observed on the part of Texas, but this being impracticable under the circumstances, he had agreed to waive any difficulties on this score as I mentioned in my last despatch.

The ratification of the President is couched in the following terms.

Martin Van Buren

President of the United States of America.

To all and singular who shall see these presents, Greeting.

Whereas a Convention between the Government of the United States of America and the Government of the Republic of Texas, to terminate the reclamations of the former Government for the capture, seizure and detention of the Brigs Pocket and Durango, and for injuries suffered by American citizens on board the Pocket, was concluded and signed by Alcée La Branche, Chargé d' Affaires of the United States, and R. A. Irion, Secretary of State of Texas, in the City of Houston, on the eleventh day of April, one thousand eight hundred and thirty eight, which Convention is word for word as follows.

* * * * *

And whereas the Senate of the United States, by their Resolution of the thirteenth day of June, one thousand, eight hundred and thirty eight, two thirds of the Senators present concurring, did advise and consent to the ratification of the said convention.

Now, Therefore, I, Martin Van Buren President of the United States of America, having seen and considered the said Convention, do, in pursuance of the aforesaid advice and consent of the Senate of the United States, by these presents accept, ratify and confirm the said Convention and every article and clause thereof.

In faith whereof, I have caused the seal of the United States of America to be hereunto affixed.

Given under my hand at the City of Washington, this twenty first day of June, in the year of our Lord, one thousand, eight hundred and thirty eight, and of the Independence of the United States the sixty second.

M. VAN BUREN.

By the President,
JOHN FORSYTH,
Secretary of State.

I shall send you the treaty by the first safe opportunity, which presents itself.

Very truly and respectfully—
Yr. obedient servant

FAIRFAX CATLETT

Hon'ble
R. A. IRION.
Secretary of State.

* The asterisks are the punctuation of the dispatch and indicate the omission of the convention in that document. For reference to the text of the convention, see Calendar.

[Enclosed is one of the duplicate originals of the certificate of exchange of ratifications with the signatures and seals of Forsyth and Catlett; a copy of Van Buren's ratification with his signature and that of Forsyth; and a newspaper clipping containing Van Buren's proclamation of the treaty.]

CATLETT TO IRION.*

Despatch No. 38.

TEXIAN LEGATION
WASHINGTON CITY
July 12th. 1838.

Sir,

Congress adjourned on the 9th instant, without having come to any definitive action upon the question of the annexation of Texas.

I stated in my despatch, No. 36, that the whole subject had been laid on the table in the Senate, and that I thought it more than probable that it would be disposed of in the same manner in the House;—particularly as such a course had been recommended by the Committee of Foreign Relations, as you will perceive in reading their Report of which the following is a literal copy.

“Mr. Dromgoole, from the committee on Foreign Relations, made the following report which was read:

The Committee on Foreign Affairs, to whom was referred sundry Executive communications, and resolutions of State Legislatures, together with numerous petitions and memorials, relating to the annexation of Texas to the United States, presented at the late and present session of Congress, report:

That there is now no proposition, pending in this House either for the admission of the Republic of Texas, as a state into the Union, or for its territorial annexation to the United States.

The committee do not deem it advisable to recommend any action on the part of the House of Representatives, calculated to prejudice any such proposition should it hereafter be formally submitted for decision, or to forstall public sentiment in relation thereto. In consideration whereof, the following resolution is reported:—

Resolved, That the Committee on Foreign Affairs be discharged from the further consideration of the whole subject, and that all the papers relating thereto, and to them referred, be laid upon the table.”

It is still my opinion that this Report would have been sustained by a large majority in the House, but for the unexpected course of Mr. Adams.

This gentleman, as I have already had occasion to inform you, took the floor about three weeks before the adjournment of Congress upon his motion to recommit with instructions to report adversely; and being, by a rule of the House, confined to the first hour of each morning, he was enabled to protract his remarks to the close of the session, and thereby defeat any definitive action. The report of the Committee, therefore, as well as all incidental questions, will pass over as unfinished business, and will, as a matter of course, claim the attention of Congress at its next session, if not otherwise disposed of in the meantime.

Mr. Adams, in the course of his remarks, frequently designated the question of annexation as an ultra-administration measure, and as you will doubtless see in his published speech, (a copy of which will be sent to you as soon as it appears in pamphlet form,) he laboured unremittingly to prove that the present relative positions of Texas, Mexico and the United States were all brought about by the connivance of this Government and its *deep* duplicity towards Mexico.

The report of the Committee, asking to be discharged from the further consideration of the subject for the reasons heretofore stated, would, if it had met with the quiet approbation of the House, certainly have left the whole matter in the most favorable attitude in which it could have been placed at this time and under the existing organization of parties, and such I have no doubt was the wish and intention of the Committee. Such a result would have been at worst equivocal, while I am fully assured, that any direct action upon the question of annexation would have been conclusively against Texas in all its bearings. As it is, the whole subject remains suspended until the next session.

In relation to your instructions to Genl. Hunt to withdraw the proposition for the annexation of Texas to the United States, in case of no definitive action being had upon the subject during the late session of Congress (which instructions arrived after the General had left this City for Texas,) it was at first a question with me, whether it did not regularly devolve upon myself as a part of my duty to have them executed as nearly as possible according to their spirit;—I say as nearly as possible according to their *spirit*, because, from my acquaintance with the position of the negotiation here, I was entirely satisfied that a *literal* execution of them was impracticable, there being (as was before stated) no proposition, as coming from Texas, still pending before this Government, and therefore, none to be withdrawn.

The proposition, which was made by General Hunt on the part of Texas (, the only formal proposition for annexation made in her behalf) was rejected absolutely and unconditionally, and not even reserved for future consideration—(i. e. during the present relative

condition of the three parties);—and as Mr. Forsyth himself affirmed in his letter to the Executive, (a copy of which was sent you in my despatch No. 36), the subject was no longer considered as within the control of the United States. In what manner then can a proposition be withdrawn, which is not even admitted to exist? Is it not self-evident, that that which has already been finally rejected cannot be thereafter withdrawn?

It is equally clear that the action on the subject in Congress was not and could not have been legitimately predicated on any proposition coming from Texas herself, there being no such proposition pending, (the proposition which was made on her part having been disposed of and gone back into her own hands). No; it was predicated on the petitions and memorials of their own citizens, and the Resolutions of their own State Legislatures. The question with Congress in this view *necessarily* was, not whether the proposition of Texas should be *accepted*, but whether they themselves should make a *new* proposition on their own part to Texas. For, supposing that Congress were to determine in favor of the expediency of the measure, it would then become the duty of the Executive here to open a negotiation *de novo*, and Texas would then be, not in the attitude of the party *suum*, but of the party *sua*.

According to this view of the matter, the question of annexation is entirely open and untrammelled, and Texas in such a condition, that she can either commence the negotiations anew, or drop them altogether;—wait for an overture to be made on the part of the United States, or protest if she please, against its being made a question in the Congress of the United States whether her sovereignty shall or shall not be immersed in that of the United States;—and, inasmuch as she is very generally, although erroneously regarded as still in the attitude of a suitor to the United States for admission into their Union, she might seize the first fit occasion, which presents itself, to place herself in her true position, and disabuse the minds of all concerned by explicitly declaring to this Government that she is no longer an applicant for admission.

I have taken the liberty of throwing out the above ideas upon the subject of the instructions, well knowing, that whatever of reason they contain will be obvious to you upon perusing them, and permit me to say with a hope that they may lend some aid in ascertaining the best course of policy to be pursued.

The appointment of Col. Grayson, as Minister to this Court, will of course render it improper for me to act at all in the premises. He is, doubtless, invested with sufficient discretionary power to pursue the course, which he may deem most advisable.

The army of the United States has been considerably increased by a late act of Congress, augmenting it by an addition of 4,500 men;—a

large portion of this additional force being intended for the protection of the South Western frontier of the United States.

Considerable apprehension has been felt here, lest the Indians on that frontier should prove troublesome.

I send you herewith a copy of the Report of the Committee on Foreign Affairs on the present attitude of the relations between the United States and Mexico.

I have the honor to remain, with great consideration,

Your obedient servant,

FAIRFAX CATLETT.

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

CÓRDOVA TO FLORES.^a

CATLETT TO IRION.^b

NEW YORK
July 29th 1838.

DEAR SIR,

When I wrote my last despatch I was fully under the impression that Col Grayson (of whose melancholy fate you have doubtless already heard) had been appointed Minister to Washington: nor was I apprised of the mistake until a few days since. So far as the business of the Legation is concerned, I am not aware that it has made any difference; not having any power, myself, to act in a matter involving so much discretion as the instructions to Genl. Hunt, relative to the withdrawal of the proposition for the annexation of Texas to the United States.

There remaining nothing on hand that could be attended to immediately, and indeed scarcely any one in Washington to do business with, the state of my health too being very bad and requiring a change I have taken advantage of an interval of general leisure and recreation to visit my connexions in this city. For fear however lest something should transpire of sufficient consequence to call me back to Washington, I engaged Sandy Harris Esqr to take charge of the papers and give me the earliest information of any business which might arise. Mr Harris is a gentleman of worth and trust, and having been connected with the Legation for several months past, first as private

^a July 19, 1838. See Burnet to Dunlap, May 30, 1839.

^b See Records of the Department of State (Texas), Book 41, p. 190.

Secretary to Genl Hunt, and afterwards as under Secretary to the Legation, I feel no apprehension that the business of the Legation will in any manner suffer during my absence. Should any dispatches arrive, they will be sent on to me immediately.

My principle object in writing to you at this time is to signify my desire to resign the situation, which I have the honor to hold in the Legation at Washington, and to request that the President will appoint some one in my stead. This request will not, I am sure, be deemed unreasonable, when it is considered how long I have served in my present capacity. The interests of the Legation are of course regarded by me as of paramount importance to any private interests of my own, and it will be incumbent upon me to remain and see that they are properly attended to, until some one is sent to relieve me. Still my circumstances are such as to put it out of my power to remain much longer in Washington and to render me extremely anxious to return to Texas at an early day. I hope therefore that the President will find it convenient to gratify me in the above request.

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It was rumored here yesterday that the Commissioners under the Loan Act had succeeded in obtaining two Millions from Mr Biddle for 14 years at ten percent, and also that he had agreed to advance upon the cotton of Texas at a stipulated rate. I am disposed however to doubt the correctness of the report. I saw Mr Burnly a few days since, who then spoke doubtfully of success. He and Mr Williams are still in Philadelphia, I believe.

Please present my respects to the President

With great regard, I am very truly

Your Friend and Obdt servt.

FAIRFAX CATLETT.

Honl. R. A. IRION

IRION TO JONES.

DEPARTMENT OF STATE,
City of Houston, Augst. 7th. 1838.

SIR,

I have the honor hereby to acknowledge the receipt of Mr. Catlett's communication of the 12th ultimo. I am happy to learn that the Convention of Indemnity to American citizens for the injuries sustained on account of the capture of the Pocket and Impressment of the Durango by officers of this Government, has been ratified by the U. States. You will find by reference to the Despatch above alluded to that Mr. Catlett has come to the conclusion that a formal

* Here is omitted a paragraph relating to Catlett's financial affairs.

withdrawal of the proposition [of annexation] is not necessary; still it would seem that the matter is questionable. In regard to this subject your instructions are positive and it is confiden[t]ly expected that you will act in accordance therewith.

Our North Eastern boundary should be defined as speedily as possible, and the President expects that you will use every effort to procure, at the earliest practicable period, the appointment of the Commissioner etc. on the part of the U. States.

According to the Convention of limits the Commissioners are to meet at New Orleans; and the facilities which S. Boat navigation now affords will enable this Government to be prompt in the matter.

It is a subject of gratulation to this Government that the Army of the U. States destined for the protection of their South Western frontier has been increased; for the greatest apprehension we have with respect to enemies is, that the Indians inhabiting that border may be induced to pass the line, and assume a hostile and formidable attitude towards the people of Texas.

This measure of the U. States Government, its execution devolving as it does on Gen. Gaines, whose discretion, experience and great energy in military affairs [are well known], must tend to quiet the turbulent recklessness of the Indians who have been removed west of the Mississippi. This Government, you know, apprehends more danger from them than the Mexicans. You are also aware that the Cadoes have been influenced to leave the country which they occupied on Red River, and have established themselves permanently in Texas, and are now associated (and have been for about two years past) with the most hostile of our native Indians.

The President is now absent at Nacogdoches, and we learn is enjoying excellent health.

Such rumors as we had prior to your departure, with respect to hostilities in the West, continue to arrive; but from the most authentic and recent information the troubles seem to be confined to robbing parties; conducted by individuals for the purpose of accumulating property. They appear to have no national character.

Gen. Henderson's first Despatch from France, dated, June 2nd. was received on yesterday. He had had an interview with Count Molé, Minister for foreign affairs.

Nothing definite or conclusive took place relative to our recognition by that Government. Nothing unfavorable occurred.

Make my compliments to Mr. Catlett.

I have the honor to be with great respect your

Obt. Servant

R. A. IRION.

Hon. ANSON JONES,
Minister Plenipotentiary of Texas,
Washington, D. C.

JONES TO FORSYTH.^a

VAIL TO JONES.^a

IRION TO JONES.

DEPARTMENT OF STATE
City of Houston, Sept. 7th, 1838.

SIR,

I had anticipated the pleasure of hearing from you by the last Columbia. The Mail, however, is barren.

Permit me to urge upon you the importance of consummating the arrangements for settling our boundary question with the least possible delay.

Great solicitude is felt on this subject, not only, by the portion of our citizens within the disputed territory, but by the whole country and the Government.

Enclosed I send you the note of the Hon. John Forsyth, Secretary of State of the U. States, to the Hon. Memucan Hunt, late Minister of this Republic acknowledging advice of the appointment of Fairfax Catlett as *Chargé* of the legation in his absence etc. which you will file with the papers of the legation.

Accept the renewed assurances of my consideration etc.

R. A. IRION.

Hon. ANSON JONES, *Minister etc.*
near the Govmt of the U. States,
Washington.

JONES TO IRION.^b

TEXIAN LEGATION,
WASHINGTON CITY,
Sep. 26th. 1838.

Despatch No. 39.

SIR,

I have the honor to inform you that I arrived in this City on the 23d. ult. and entered upon the discharge of the duties of my mission. On the 24th instant, I addressed the following note to the Secretary of State.

[Here follows a transcript of Jones to Forsyth, August 24, 1838, asking an interview to present credentials.]

^a August 24, 1838. See Jones to Irion, September 26, 1838.

^b L. S.

On the 27th I received the following reply from M. A. Vail, acting Secretary of State.

[Next is transcribed Vail to Jones, August 24, 1838, stating in reply that the absence of the President and Secretary of State makes the interview impracticable, but that if Jones should meanwhile have occasion to send any communication informally to the Government it will be laid before the Secretary without unnecessary delay.]

Finding from this, that nothing effectual could be done until the return of Mr. Van Buren, which was uncertain, I embraced the opportunity, afforded by the interval, in looking over and making myself acquainted with the various documents and despatches on file in the Legation, which being numerous, occupied my time until the 3d. instant, when I had the honor of receiving by Mr. Gray, your despatch of the 7th. Aug. last. In compliance with the instructions that I should render every assistance to the commissioners appointed to negotiate the Loan, and believing that I could do this most effectually by being with them, and the President still continuing absent, I left the next morning for Philadelphia, at which place I found both Mr Burnley and Mr. Williams, to whom I communicated the instructions I had received. As the progress and result of this negotiation will be communicated to the Government by the Commissioners themselves, it will be unnecessary for me to say any thing on the subject, except that I believe every possible exertion is being made by them and should they fail of success, that it will be from the concurrence of circumstances and events which they cannot obviate nor control. I again returned to Washington on the 24th. and last evening had the pleasure of receiving your despatch of the 7th. Sept. instant. The President has not yet returned. I called informally to day at the State Department with Mr. Catlett and was very politely received by Mr. Vail, acting Secretary (Mr. Forsyth being absent) with whom I had an interview of half an hour. My principal object in making this informal visit was to ascertain if any thing could be done to accelerate the settlement of the boundary question, previous to my formal presentation as Minister. I embraced the occasion to express to Mr. Vail the strong desire, felt by the Government of Texas for the speedy adjustment of this important subject and my own anxiety to proceed to the discharge of my official duties in relation to the same. Mr. Vail, in reply, informed me that nothing could be done until the return of the President, particularly, as his signature had not yet been given to the Ratification of the Treaty of Limits, but that he would be ready immediately upon the return of Mr. Van Buren, which was now daily expected, to proceed to the exchange of the Ratifications. I shall be prepared on my part and ready to make

the exchange at the earliest possible moment. I much regret the delay, which has already occurred, and but for my great desire to have been enabled to communicate the consummation of the matter before this time, I should have written you much sooner.

I have the honor to be with high consideration

Your obedient servant,

ANSON JONES.

Hon. R. A. IRION,
Secretary of State.

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JONES TO VAIL.^a

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VAIL TO JONES.^b

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JONES TO VAIL.^c

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VAIL TO JONES.^d

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JONES TO IRION.^e

TEXIAN LEGATION,
Washington, Oct. 13th 1838.

Despatch No. 40.

Sir,

My Despatch, marked No. 39, of the date of Sept. 26th. will have informed you of all that had occurred up to that time. The President of the United States returned to this City from his protracted visit to Virginia, on the 2nd Instant, and Tuesday, the 9th, was fixed upon for my being presented to him. Accordingly, on that day, at the appointed hour, I called at the State Department, and accompanied by Mr. Vail, the acting Secretary of State, (Mr. Forsyth being absent on a visit to Georgia) I went to the Executive Mansion and was introduced to the President by him. His Excellency received me with great kindness and civility. Upon delivering my letter of credence, I said

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^a October 10, 1838. See Jones to Irion, October 13, 1838.
^b October 11, 1838. See Jones to Irion, October 13, 1838.
^c October 12, 1838. See Jones to Irion, October 13, 1838.
^d October 13, 1838. See Jones to Irion, October 13, 1838.
^e L. S.

[“]Mr. President,

I have the honor to present you this Letter from the President of the Republic of Texas, accrediting me as Minister Plenipotentiary to this Government. In delivering this, I have it especially in charge to assure your Excellency of the continued friendly feelings of the Government and people of Texas towards the Government and People of the United States, and to express their sincere and ardent wishes for your own future happiness and prosperity, and that of the Country over which you preside.

For my own part, I consider myself most fortunate, Sir, in having the distinguished honor of appearing before the Chief Magistrate of this great, free and happy nation, as the Diplomatic Representative of my adopted country; and it will ever be my greatest happiness, as it is my imperative duty in the discharge of my official functions, to promote, by every means in my power, the friendly relations now so happily existing between Texas and the United States, and the reciprocal interests of the two Governments.”

To which Mr. Van Buren replied.

[“]It gives me much pleasure, Sir, to receive you as the accredited representative of the Republic of Texas, and I reciprocate very cordially the assurances of good will, which you have expressed in behalf of the Government and People of Texas towards the Government and People of the United States. The motives to the cultivation of the most liberal and friendly relations between the two countries are too numerous, and the interests of both, in their maintenance, too obvious, to allow them to be disregarded by the Government of either. In your personal dispositions to promote so desirable a result, I have the fullest confidence, and you may confidently rely on our cordial cooperation in any proper measure, that shall be calculated to advance it.”

On the following day, Oct. 10th. I addressed the subjoined note to the Secretary of State, on the subject of exchanging the Ratifications of the Treaty of Limits.

TEXIAN LEGATION,
Washington, Oct. 10th. 1838.

A. VAIL Esquire
etc, etc, etc,

SIR,

It is stipulated in the Convention for marking a portion of the boundary line between Texas and the United States, signed by their respective Plenipotentiaries in this City, on the 25th day of April last, that the Ratifications of the said Convention shall be exchanged in this City, within the term of six months from the date of the signature. This term will expire on the 25th. Instant. I am now

prepared to make the exchange on the part of Texas, and would thank you to inform me, if you are ready to act, for that purpose, on behalf of your Government, and, if so, to inform me at what time it will suit your convenience to proceed to make the exchange.

I embrace this opportunity to offer you the assurances of my high consideration.

(signed) ANSON JONES.

To this note he returned the following answer—

DEPARTMENT OF STATE
Washington [City,] 11th Oct. 1838.

ANSON JONES Esquire,
Minister Plenipotentiary of the Republic of Texas.

SIR,

I have had the honor to receive your note of yesterday, stating that, agreeably to a stipulation in the Convention for marking a portion of the boundary line between the United States and Texas, signed on the 25th. of April, last, you are prepared to proceed, on the part of Texas, to the exchange of the ratifications of said Convention, whenever I might be ready to meet you for that purpose on the part of the United States, and asking to be informed of the time, when the exchange may be effected.

I take great pleasure in stating to you that, tomorrow, Friday, at twelve o'clock, I shall be ready to make the exchange, and for that purpose shall be happy to receive you at that hour at the Department of State.

Be pleased, Sir, to accept, on this occasion, the assurance of my very distinguished consideration.

(signed) A. VAIL.
Acting Secretary of State.

I accordingly attended at the Department at the time fixed, when the Ratifications of the Convention were exchanged in the usual form.^a I embraced the occasion to repeat the strong desire of the Government of Texas to have this question settled by running the line etc etc. Mr. Vail informed me, that he presumed the President would not delay the appointment of a Commissioner. The same day, I addressed the Secretary of State the following note, withdrawing the proposition for the annexation of Texas to the United States.

[Here follow copies of Jones to Vail, October 12, 1838 and of Vail to Jones, October 13, 1838.^b]

^a One of the duplicate originals of the certificate of exchange signed by Jones and Vail and one of President Van Buren's certification are on file with the correspondence.

^b See Calendar.

I have written under date of to day, in duplicate, to Genl. Henderson and informed him of the withdrawal of the proposition for the Annexation, as you requested. My letter will go by the Royall William and reach London in course about the 6th of November.

I have the honor to be with the highest respect, Sir,
Your most Obt. Servt.

ANSON JONES.

Honorable

R. A. IRION,
Secretary of State Republic of Texas.

LA BRANCHE TO IRION.^a

LEGATION OF THE UNITED STATES,
Houston, November 16th 1838.

SIR,

In your letter of the 23d of June last, in reply to a communication of mine transmitting a Circular from the Treasury Department of the United States, I was informed "that the stipulations indicated by the Circular would be observed by this Government;" and I entertained the confident belief that the necessary orders had been given to your fiscal officers to that effect. I have learnt, to my surprise, that, contrary to your assurances, the tonnage duties are still exacted in the ports of your Republic, upon vessels of the United States, while those of Texas are, in our ports, admitted to the full benefit of the stipulations in question.

I have it in charge from my government, to lay this representation before you, under the expectation that such instructions will be given to your fiscal officers as will ensure the exact fulfilment of the 5th and 6th articles of the Treaty with Mexico. I am also directed to apply for the restitution of the amounts of all discriminating tonnage duties, which have been levied upon vessels of the United States since the 5th of April last. This is but an act of simple justice as the money paid has been exacted without regard to a positive understanding and in violation of the principles of reciprocity.

With sentiments of the highest respect,

I am Sir your obdt. Servant,

ALCÉE LA BRANCHE.

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

^a L. S.