

O'NEAL TO CHIEFS OF CHOCTAWS AND CHICKASAWS.<sup>a</sup>


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 EVE TO JONES.<sup>b</sup>


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UPSHAW TO ABBERSON.<sup>c</sup>


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 REILY TO JONES.<sup>d</sup>

Despatch No. 89.

LEGATION OF TEXAS WASHINGTON

*June 11th.\* 1842.*\* intended for July 11th<sup>e</sup>

Hon. ANSON JONES

*Secretary of State**Texas*

SIR—My last despatch dated June 24th and numbered 88, I trust has safely reached you, containing as it does, the information of the offered mediætion of the United States between Texas and Mexico. Since that time matters between Mexico and the United States have assumed rather an unfriendly aspect. A debate is at this moment going on in the Senate, upon the language used towards this government in a letter hereto attached, from the Mexican Minister to the Secretary of State of United States. I was informed the other day by the President that he did not see how a war between the United States and Mexico could be avoided.

I again recently urged both upon Mr Webster and the President the necessity of taking up the subject of a treaty between [the] United States and Texas but by both was informed of its utter impossibility at present. There are no hopes of its consideration until after the adjournment of Congress, altho I shall press its consideration again before the first of August.

With the President I recently had a full and free conversation upon the subject of annexation. He remarked "that he was anxious for it, and wished most sincerely he was able to conclude it at once". The only fear is its non-confirmation by the Senate, two thirds of that

<sup>a</sup> Undated, but written probably during the latter part of June. See Eve to Terrell, September 5, 1842.

<sup>b</sup> A. L. S., July 2, 1842. See Calendar.

<sup>c</sup> July 5, 1842. See Eve to Terrell, September 5, 1842.

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

<sup>e</sup> Note apparently by Jones.

body being necessary to consummate a treaty. We are now casting about to ascertain the strength of the friends in the Senate, for annexation. There is a majority, but whether it amounts to the number requisite is doubtful. The President would act in a moment, if the Senate would assent. Please permit me to suggest that your representative here should be clothed with plenary powers not only to make a commercial treaty, but treat for and conclude annexation, and also to enter into a treaty of alliance both offensive and defensive. The mere letter of credence, and commission to form a treaty of amity, navigation and commerce, will not avail either for a treaty of alliance offensive and defensive with the United States, if this Government and Mexico should become embroiled, or of annexation if the President decides to attempt it. Satisfied as I am of the sentiment of the administration towards Mexico, and the desire to annex Texas, I would urge that you clothe your Representative here with powers sufficient to act at once, should the emergencies arise which I believe are fast hastening to a crisis.

Last Tuesday I dined with Lord Ashburton and he again assured me that the rumors of Great Britains interference were false. He remarked "that I might rest assured that if Great Britain interfered at all it would be to make peace, instead of assisting Mexico." The positive language used by Sir Robert Peel in the British Commons as to the recognition of the Texan Blockade of Mexican ports by the British Government, and his intention to urge the ratification of the treaties between Texas and Great Britain are evidences of the falsity of the rumors of British interference and go to sustain the repeated declaration made to Mr Clay by Mr Fox and Lord Ashburton, and to me by Lord Ashburton of the non interference of the British government between Texas and Mexico.

On Saturday morning last I received a letter from Hon Ashbel Smith, dated London June 6th. and giving the extract of a letter from Liverpool, informing him of the building and equipment of a fine Iron Steam Frigate for the Mexican Government and which would put to sea in a few days. She was built by a Mr John Laird. Mr Smith had offered his protest to Lord Aberdeen. Mr Smith informed me he had called the attention of the Texan Government to the subject. I laid the letter before the President here, considering it advisable so to do under the present circumstances. The President informed me that the Steam Frigate Mississippi would be ordered immediately to the Gulf.

On the 30th day of June I had the honor of transmitting to T. H. Airey Esq his commission as Consul for Natchitoches La. The Exequatur was issued by the President of the United States on the 29th ult.

I have the honor to transmit the enclosed letter from a Mr. John R. Chenault and inviting the attention of the Government to its contents.<sup>a</sup>

On yesterday the Hon Mr Daingerfield called upon me and requested me to inform the Government that he was actively engaged in prosecution of the loan.

In my despatch dated March 11th and No. 79 I requested the appointment of Asa A. Brown Esq of Wilmington North Carolina consul at that point, and forwarded the letter upon which the request was based. I have subsequently called the attention of the Government to that request but have not had the honor of the least information on the subject.

With sentiments of highest respect

Yours

JAMES REILLY

[Enclosed is a clipping from the New York Journal of Commerce, containing Bocanegra to Webster, May 31, 1842.<sup>b</sup>]

WAPLES TO EVE.

DEPARTMENT OF STATE

*Houston 22th July 1842*

Honl Jos EVE

*Chargé d'affaires  
of the United States  
To Texas*

SIR

The undersigned Acting Secretary of State of the Republic of Texas, has the honor to acknowledge the receipt of the note of the Honl Mr Eve, Chargé d'affaires of the United States of the 2d instant, on the subject of one of the war vessels of this Government, having under the Proclamation of the President, captured near the mouth of the Mississippi a trading vessel, claimed by the master and owner to belong to citizens of the United States and sailing under the colors of the United States, on its passage from New Orleans to Mexico etc.

The undersigned would respectfully state to the Honl Mr Eve, that he is under a misapprehension with regard to the alledged capture having been made by one of the war vessels of this Government under the Proclamation of blockade. The said trading vessel was captured by a commissioned private armed vessel, and brought into the Port

<sup>a</sup> This letter has not been found.

<sup>b</sup> See Calendar.

of Galveston for adjudication, she having on board articles contraband of war, and bound to an enemy's port. And even admitting the capturing vessel was an armed vessel of Texas; under the article of the Treaty referred to by the Hon Mr Eve, the capture and detention of the vessel is legal, for it is well known that long previous to the vessel in question having sailed from the Port of New Orleans the Proclamation of blockade was promulgated in that Port, and, at the time of her sailing Texas had a squadron on the Gulf amply efficient and capable of preventing the entrance of a neutral vessel into any of the Ports of Mexico; and by reference to the 23d article of the Treaty between the United States and Mexico, referred to in Mr Eves note, he will see that when one of the parties should be engaged in war, the vesesls belonging to citizens of the other must be furnished with sea letters or passports, together with a certificate or manifest, containing the several particulars of the cargo, and without such passports or certificates the vessel may be detained to be adjudged by the competent tribunal, and may be declared a legal prize. It appears from information (verbal) received at this Department that the vessel referred to, had not the requisite certificates of her cargo at the time of her capture or if she had they were not produced to the commander of the Privateer;—for I have learned from good authority that the contraband articles found on board, were not entered on her certificate or manifest made out by the officers of the place from whence she sailed. It is well known to Mr. Eve that Texas has since 1836 been engaged in a war with Mexico, and I presume he is aware of the existence of a law of Texas admitting the granting of letters of Marque and Reprisal; which authorizes the President to grant commission to privateers, and under the provisions of that law the vessel referred to in Mr Eves note was commissioned; and in accordance with the article of the Treaty above referred to the trading vessel claimed as belonging to citizens of the United States is detained for adjudication. The Court of Admiralty will ere long have decided the legality of the capture and detention of the said vessel, when this Department will take pleasure in informing the Honl Mr Eve of the result.

With regard to your suggestions to the Secretary of State that the commander of the blockading squadron should be instructed to strictly adhere to the principles of the Treaty between the United States and Mexico, I have the honor to say, that such instructions have been given by the President to Commodore Moore, who will doubtless strictly observe them.

With renewed assurances of high consideration I have the honor to be your most obt serv

JOS WAPLES  
*Acting Secty of State.*

P. S. Your note should have had an earlier reply, but that we have been daily expecting Doct Jones, Secty of State here, who we now learn is detained on % of sickness

Yours

JOS WAPLES

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RHODES TO JAMES AND DELESDEMIER.<sup>a</sup>

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REPORT OF JAMES AND DELESDEMIER CONCERNING THE RETRIEVE.<sup>b</sup>

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ACCOUNT OF MEANS FOR DETENTION OF THE RETRIEVE.<sup>c</sup>

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CERTIFICATE OF APPLEMAN TO ACCOUNT OF MEANS.<sup>d</sup>

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WAPLES TO VAN ZANDT.

DEPARTMENT OF STATE

*Houston 26th July 1842*

Honl. ISAAC VAN ZANDT

SIR,—Herewith you will receive a commission as Minister Chargé d'affaires of Texas near the Government of the United States, with a letter of credence to the Secretary of State of the United States,—on presenting which you will avail yourself of the occasion to offer assurances of the ardent desire of the President for a continuance of that friendship now so happily existing between the two Governments.

On your arrival at Washington City, you will call on H. M. Morfitt<sup>e</sup> Esq and from him receive the papers and archives of the Legation with whom Mr Reily left them, and for which you have an order.

The President does not deem it necessary at present to give you any specific instructions, but that you will be governed by those furnished your predecessors (which you will find on file at Washington) until others may be forwarded to you from this Department.

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<sup>a</sup> July 22, 1842. See Eve to Waples, August 16, 1842.

<sup>b</sup> July 23, 1842. See Eve to Waples, August 16, 1842.

<sup>c</sup> July 24, 1842. See Eve to Waples, July 27, and August 16, 1842.

<sup>d</sup> Undated; but the date of the account is July 24, 1842. See Eve to Waples, July 27, and August 16, 1842.

<sup>e</sup> Morfit.

The books and papers of the Department being in Austin, we are at a loss for the form of a letter of credence, therefore I sign a blank sheet which you will have filled in the usual form, (which you will be enabled to find in Washington) and which must be directed to the Secretary of State, perhaps a copy of Mr Reily's credence is on record there. You will also please forward a form of a full power to this Department, in order that one may be furnished you.

It is desired by the President that you proceed to Washington with all possible despatch, as Mr Reily will have left about the first of August and leave the Legation without a Representative, which should not in the present exigencies be the case.

I have the honor to be with great respect

Your most obdt servant

JOSEPH WAPLES  
*Acting Secty of State*

Honl

ISAAC VAN ZANDT  
*Chargé d'affaires of Texas*  
*Near the Govt of the U. States*

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CERTIFICATE OF BOYLAN OF SEIZURE AND DETENTION OF RETRIEVE.<sup>a</sup>

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CERTIFICATE OF JACKSON AS TO THE EMPLOYMENT OF THE RETRIEVE.<sup>b</sup>

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EVE TO WAPLES.<sup>c</sup>

No. [7.]

LEGATION OF THE UNITED STATES  
*Galvaston July the 27th 1842*

The Hon.

JOSEPH WAPLES *acting Secretary of State*  
*of the Republic of Texas*

SIR

Captain Means the Commander of the United States Brig Retrieve, will hand you this note with the accompanying certificates.

You will perceive by the certificates of J D Boylan and Colo. A Jackson that this Brig was taken possession of by order of the Presi-

<sup>a</sup> July 26, 1842. See Eve to Waples, July 27, and August 16, 1842.

<sup>b</sup> July 27, 1842. See Eve to Waples, August 16, 1842.

<sup>c</sup> A. L. S., endorsed " Recvd 29 July replied to 30th 42."

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dent of Texas for the purpose of transporting troops from Galvaston to live Oak point, and has been detained in the transport service from the 18th. of June 1842 to the 23d day of July inst. \$900.00 is the amount claimed by Capt. Means for the time the Brig was in the service of Texas which is certified to be correct by Capt John Appleman Comdr. of the Transport by order of this Government.

You will also perceive by the accompanying documents that the Brig has been damaged while in the service of Texas.

It is confidently expected that the government of Texas will discharge this claim of Capt. Means and make with the Capt an equitable arrangement for the damages the Brig has sustained whilst in the service of Texas. With renewed assurances of

high regard I have the honor to be  
your Obt. Servt.

JOSEPH EVE.

[Next come copies of the following: <sup>a</sup>

Account of Means for detention of the Retrieve, July 24, 1842.

Certificate of Appleman to account of Means, undated.

Certificate of Jackson as to the employment of the Retrieve, July 27, 1842.<sup>b</sup>

Then follows this certificate: <sup>c</sup>]

The foregoing account and certificate are correct copies of an % and certificate presented by Captain Means to this Department on the 29th July inst, the originals were returned to Capt Means at his request this day

DEPARTMENT OF STATE

*Houston July 30th 1842*

JOSEPH WAPLES

*Acting Secretary of State*

[Then come copies of the following: <sup>d</sup>

Certificate of Boylan to seizure and detention of the Retrieve, July 26, 1842.

Certificate of Jackson as to the employment of the Retrieve, undated.<sup>e</sup>

<sup>a</sup> See Eve to Waples, August 16, 1842. The whole series of copies, original certificates, etc., in this letter of Eve to Waples, July 27, is written on the same sheet and endorsed "Copies of documents relating to the Brig Retrieve, Capt. Means, July 30th 1842 to accompany Judge Eve's letter of 27th inst."

<sup>b</sup> To this certificate as it appears in Eve to Waples, August 16, are here added the words, "but do not certify as to the compensation to be allowed for the same."

<sup>c</sup> A. D. S.

<sup>d</sup> See Eve to Waples, August 16, 1844.

<sup>e</sup> The repetition of this certificate is apparently inadvertent.

Finally come the following endorsements:]

<sup>a</sup> The foregoing are correct copies of two certificates presented by Captain Means to this Department on the 29th July inst, the originals were returned to Capt Means at his request to day

DEPARTMENT OF STATE

*Houston July 30th 1842.*

JOSEPH WAPLES

*Acting Secretary of State*

<sup>b</sup> The within account is admitted, and will be paid so soon as the Government, will appropriate means, for the purpose:

24th DECR 1842

*Washington [Texas.]*

SAM HOUSTON

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TREATY OF AMITY, COMMERCE, AND NAVIGATION BETWEEN TEXAS AND  
THE UNITED STATES.<sup>c</sup>

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WAPLES TO EVE.

DEPARTMENT OF STATE

*Houston 30th July 1842*

Honl JOSEPH EVE

*Chargé d'affaires of the United States  
To Texas*

SIR, I have the honor to acknowledge the receipt of your note of 27th Inst per Capt Means, commander of the Brig Retrieve, who handed me the certificates of J. D. Boylen Esqr and Col A. A. M. Jackson relating to the Brig Retrieve belonging to citizens of the United States. I referred your letter and the certificates accompanying it to the Honl Secretary of War and Marine by whom they were laid before the President.

The President has instructed me to assure you of his ardent desire that justice should be awarded to Capt Means, and that any just sum should be paid him for the services of his vessel, and regrets that he cannot obtain the money for that purpose at present, there being no appropriation for such contingencies.

The President desires me to say to you that Capt Means volunteered the services of his vessel in case the Government was unable to pay the amount verbally agreed on viz, 25\$ per day, and which

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

<sup>b</sup> D. S.

<sup>c</sup> Triplicate, July 30, 1842. Signed by James Rely and Danl. Webster. See Rely to Jones, August 3, 1842.

verbal agreement, after the parties had concluded upon a charter party, Capt Means, after consulting his consignees would not consent to, unless the President in the name of the Government would give security for the faithful payment of the amount whatever it might be on the return of the vessel. The President not being disposed to ask security for the Govmt., offered to pledge his watch or any other personal property he had for the payment of the expenses of the Transport, but, perhaps through delicacy the Capt. declined the offer.

The vessel was wanted for the purpose of transporting troops (Volunteers from the United States) from Galveston to Corpus Christi, it had become necessary that these troops should be removed from Galveston, and there being no other vessel in that port competent for removing them, and Capt Means having declined or refused to comply with the stipulations agreed on, and for the security of the citizens of Galveston on whom these troops had been living for several weeks, and as a last resort (though with great reluctance) the President deemed it an imperative duty to order the Brig to be taken for that purpose; and would now be happy to have it in his power to remunerate Capt Means upon just and equitable terms for the services of his vessel. And in respect to the damages done the Brig while in service as Transport, the President is desirous that you will obtain all the information you can in relation to it; what was the situation of the vessel when she left Galveston, the amount of damage done her, and whether the mismanagement of the Transport officers on board was the cause of her being damaged? It is important these facts should be clearly ascertained before the President can acknowledge a claim for damages.

With great respect I have the honor to be

Your most obdt Servant

(signed)

JOSEPH WAPLES  
*Acting Secty of State*

DEPT STATE  
*July 31st 1842*

His Excellency, the PRESIDENT

SIR,

I send you for your sanction or amendment a rough copy of a letter which I made to send Judge Eve relating to the Brig Retrieve, if any alterations are necessary, you will please suggest them, and I will copy it over, in time to send by the boat to day. The boy will await your reply.

With great respect

Your obdt servant

JOS WAPLES

'Tis all very well. I hope the Judge will for the present be satisfied.

SAM HOUSTON

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REPLY TO JONES.<sup>a</sup>

Despatch No. 90.

LEGATION OF TEXAS

*August 3rd. 1842*

HON ANSON JONES

*Secretary of State, Texas*

Since my last despatch dated July 11th. and No 89 I have urged upon Mr Webster the necessity of the consideration of a treaty of Amity, Navigation, and Commerce, and after several personal interviews in which the various points submitted by me were discussed, I have now the honor of transmitting the enclosed treaty<sup>b</sup> entered into between Mr. Webster Secretary of State of the United States and myself. You will be able to perceive, at once, how advantageous it is in all its provisions to Texas, securing as it does the most important rights and privileges. The navigation of the Sabine, of Red River and all conterminous streams and the Mississippi are secured, with the right of landing our products and manufactures free from duty in any ports or places situate on said rivers for exportation for ten years. The right is also conceded of selling our cotton in the United States free from duty for five years. These are important concessions, and I consider Texas as eminently fortunate in having secured them, and more especially the latter, as it will prove an annual saving of many thousands to her planters and merchants, but more especially to the inhabitants of those portions of the Republic whose outlet to market is through the Mississippi river. As the revenue laws of the United States now stand not one bale of our cotton could be landed either for sale or reexportation, at any port of the United States without a duty being advanced to the United States collector of 20 per cent per lb, or from eight to twelve dollars per bale. The duties to the United States are required to be paid in cash, and if the article entered is reexported, still the money is not refunded for a considerable period. The introduction of this stipulation is in direct violation of the established usages of this Government, inasmuch as it interferes with the subject of revenue, which belongs almost exclusively to legislation and is seldom if ever disturbed by the treaty making power. Its obtainment saves the neces-

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<sup>a</sup> Copied in Van Zandt to Terrell, December 27, 1842, in which form the despatch first reached the Texas government.

<sup>b</sup> See Reily to Waples, December 12, 1842.

sity of shipment to foreign ports for a market and will enable our citizens to obtain their returns without the delay necessarily attendant upon a transatlantic voyage, and avoids the great loss in interest and profit consequent upon the abstraction, even for a limited time, of the hundreds of thousands of dollars, which without this stipulation would be required to be deposited in the hands of the collectors of the United States, before the crops, of those countries whose position force them to use the Red River and Mississippi and Arkansas, could be brought to market or for exportation by shipment. The Government however will be able to appreciate, without my going into debate, the importance to Texas of the arrangements included in articles fourth and fifth which after much labour I have been so fortunate as to conclude. The Department will perceive that I have not adopted the maxim recognized in some of our treaties, to wit, "that the flag covers the goods" and that "free ships make free goods" considering it impolitic situated as Texas and Mexico are in relation to each other, being at war—their coasts both washed by the waters of the Gulf, and Mexico drawing most of her supplies from the ports of the United States along the Atlantic, whilst a large amount is carried from the City of New Orleans, and a greater portion of all these supplies transported in United States bottoms, and under the flag of this Government. Neither was I insensible or blind to the fact that valuable cargoes, of gold and silver, are frequently transported in American vessels from Mexican ports, consigned by their owners to merchants and others in the United States. If the maxim had been adopted that "free ships make free goods" and that the "flag covers the goods" no Texian Cruiser would have dared meddle with Mexican property, not contraband of war, in United States vessels, no matter how valuable, in amount or how well satisfied of the ownership being in the citizens of our enemy.

Sensibly alive to the importance of a good understanding with the United States in relation to the Indians, I had several interviews with Mr Secretary Webster in which I did all in my power to impress upon his mind the justice and policy of such arrangements being made between the two Governments, as would insure Texas from being disturbed by their aggressions. He did not hesitate to declare in the most candid and emphatic manner that it was the duty of the United States to prevent Texas from being disturbed by the Indians within the United States and gave me assurances that the article in the treaty relating to the Indians should be observed. Strict and positive orders, have sometime since been transmitted from the War Department to the Military Commandants and Indian Agents among the savages bordering on our line to prevent them from crossing into Texas and to take all necessary measures to keep them

from committing hostilities on our citizens. I had the honor in the month of March of inducing the Government of the United States to increase to a considerable amount the troops on the frontiers of Texas, Louisiana and Arkansas, under the rumor of an invasion from Mexico, and which force will be there retained. I am satisfied however with information derived from the War Department and conversations held with the celebrated cherokee John Ross and Governor Butler one of the indian agency among the tribes concentrated on our borders that Texas has nothing to dread from any of these Indian bands.

The stipulations, binding both Governments mutually to deliver up persons charged with certain crimes, upon a certain amount of proof being made, I trust will meet the approbation of the Texian Government. The ratification, by the senate of Texas of a treaty containing such a clause, will have a most salutary effect upon her moral reputation, and aid very much in removing the reproach which now too unjustly attaches to her people. It is an unusual article to be inserted in a treaty, but whilst laboring to secure for my country every possible commercial concession, I did not neglect any thing, that might have a tendency to vindicate her honor. There are many among the enlightened classes of this community, who are both prejudiced and ignorant enough, of the amount of virtuous and worthy population of which Texas can boast, to be firmly settled in the belief, that the Government hails with pleasure the arrival of the most hardened and lawless criminals to her shores and stands ready to protect them with the national flag from merited justice. It is with great pleasure and zeal that I have endeavoured to defend her from an imputation as injurious as it is unjust.

Altho anxious, yet I could not obtain any stipulation to permit the mutual ingress and egress of a limited number of servants accompanying their owners whilst visiting the respective countries. Its insertion would have endangered, if not defeated the treaty. In fact nothing is said about slaves in the treaty for Mr Webster deemed it unsafe. The right to import slaves from any portion of the United States to Texas in American bottoms Mr Webster informed me was perfectly legitimate. Upon the subject of tonnage the stipulations of the Treaty are reciprocal. This is of no disadvantage to Texas for her marine for years must be necessarily limited, and so long as she lays no duties discriminating between her own and foreign ships coming from foreign ports, her vessels according to the existing laws of the United States will not be liable to any tonnage. The coasting trade is not granted.

In articles fourth and fifth I have endeavoured to guard and secure the points most desirable to Texas, with regard to commerce and the

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transportation of her goods wares and products to market. As I have remarked, in the preceding part of this despatch, the important and valuable privilege of disposing of our cotton in the United States ports is secured for five years. This privilege, so unusual to concede in treaties, will prove a saving to the people of Texas before its expiration of several hundred thousand dollars. Without its obtainment, the rich and rapidly improving countries forced from necessity to carry their produce through the United States ports, must have been greatly crippled and impoverished under the Cash System of duties now adopted by this Government. In framing these two articles, I did not consider that cotton would form the only article which Texas in the development of her resources and advancement of her enterprise would be able to export, but took into consideration the cattle, hides peltries minerals beef sugar rice salt corn grain timber etc etc, which in the lapse of a few years will constitute a large item in her trade, and all of which by the provisions of these two articles are to be imported into the United States free of duty for reexportation and under the rules and regulations to be established by the President of the United States not burdened with [the] necessity of being secured by bonds which always place our citizens at the mercy of the United States Merchants, but warehoused, thus costing us nothing but a fair rent for the proper stores. The right, of repackage for exportation, is a subject which the owners and shippers of all articles will feel the importance of, and more especially the importers of cotton, after the expiration of the five years, as it is a privilege upon foreign cotton never yet permitted, and has cost us already much trouble and loss of profits. It is secured now for ten years, altho I trust the extension of time upon cotton will be obtained by the Texian from the United States Government, convinced as her Officers and intelligent men are of the great importance of our trade to whatever nation secures the benefit of supplying our people with articles of consumption, and having their marine employed as the carriers of our rapidly extending commerce.

All the provisions of the treaty with the exception of the right to land and sell cotton in the ports of either country are secured for ten years. In entering upon the discussion and consumation of this treaty I was fully alive to the delicacy of my position and the high responsibility of my actions. It became my privilege to conclude the first convention which Texas formed with the United States upon the very important subjects of Amity Navigation and Commerce. The peculiarity of the relationship held by the two Governments towards each other, arising from the contiguity of their territories, similarity of their institutions—peopled by men of the same blood, habits and language—their southern coasts washed by the same Gulf—the waters of Navigable rivers originating in the limits of one and running into

the sea through the soil of the other—their respective inhabitants in daily intercourse, with many other circumstances conspired to render a departure from the ordinary forms of treaties necessary and at the same time made the decision and settlement of various points matters of interest and difficulty. Texas I knew must suffer the penalty of whatever unwise concession or impolitic acts I might commit through ignorance or want of experience, no matter with how much honesty of intention performed, and my own self consciousness of motives the most pure, and patriotic, prove a feeble apology to the nation for injuries inflicted by me upon her prosperity. I was here alone, unaided, unexperienced, the representative of a young Government, destitute of political weight and whose commercial importance had not developed itself, and forced to enter upon the discussion of points and topics in which Texas felt the most vital interest, with some of the loftiest and most powerful intellects of the United States; Under such circumstances the accompanying treaty was concluded, which I now have the honor to transmit for the ratification or rejection of the Executive and Senate of that Government, with whose patriotic sons I have cast my fortunes, and whose citizenship I am proud to claim.

With sentiments of the highest consideration—

Yours respectfully—

(Signed) JAMES RILEY

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AFFIDAVIT OF APPLEMAN IN THE CASE OF THE RETRIEVE.<sup>a</sup>

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AFFIDAVIT OF BARTON AND D. McNITT IN THE CASE OF THE RETRIEVE.<sup>b</sup>

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ACCOUNT OF BARTON AGAINST TEXAS IN THE CASE OF THE RETRIEVE.<sup>c</sup>

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ACCOUNT OF McNITT AGAINST TEXAS IN THE CASE OF THE RETRIEVE.<sup>c</sup>

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ACCOUNT OF T. TREADSWELL AGAINST TEXAS IN THE CASE OF THE RETRIEVE.<sup>c</sup>

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<sup>a</sup> August 4, 1842. See Eve to Waples, August 16, 1842.

<sup>b</sup> August 8, 1842. See Eve to Waples, August 16, 1842.

<sup>c</sup> August 10, 1842. See Eve to Waples, August 16, 1842.