

IN SENATE OF THE UNITED STATES.

APRIL 22, 1844.

Read the first and second times, referred to the Committee on Foreign Relations, and ordered to be printed in confidence for the use of the Senate.

A TREATY OF ANNEXATION,

CONCLUDED

Between the United States of America and the Republic of Texas, at Washington, the 12th day of April, 1844.

The people of Texas having, at the time of adopting their Constitution, expressed, by an almost unanimous vote, their desire to be incorporated into the Union of the United States, and being still desirous of the same with equal unanimity, in order to provide more effectually for their security and prosperity; and the United States, actuated solely by the desire to add to their own security and prosperity, and to meet the wishes of the Government and people of Texas, have determined to accomplish, by treaty, objects so important to their mutual and permanent welfare.

For that purpose, the President of the United States has given full powers to John C. Calhoun, Secretary of State of the said United States, and the President of the Republic of Texas has appointed, with like powers, Isaac Van Zandt and J. Pinckney Henderson, citizens of the said Republic; and the said plenipotentiaries, after exchanging their full powers, have agreed on and concluded the following articles:

ARTICLE I.

The Republic of Texas, acting in conformity with the wishes of the people and every department of its Government, cedes to the United States all its territories, to be held by them in full property and sovereignty, and to be annexed to the said United States as one of their Territories, subject to the same constitutional provisions with their other Territories. This cession includes all public lots and squares, vacant lands, mines, minerals, salt lakes and springs, public edifices, fortifications, barracks, ports and harbors, navy and navy yards, docks, magazines, arms, armaments, and accoutrements, archives and public documents, public funds, debts, taxes and dues unpaid at the time of the exchange of the ratifications of this treaty.

ARTICLE II.

The citizens of Texas shall be incorporated into the Union of the United States, maintained and protected in the free enjoyment of their liberty and property, and admitted, as soon as may be consistent with the principles of the Federal Constitution, to the enjoyment of all the rights, privileges, and immunities, of citizens of the United States.

ARTICLE III

All titles and claims to real estate, which are valid under the laws of Texas, shall be held to be so by the United States; and measures shall be adopted for the speedy adjudication of all unsettled claims to land, and patents shall be granted to those found to be valid.

ARTICLE IV.

The public lands hereby ceded shall be subject to the laws regulating the public lands in the other Territories of the United States, as far as they may be applicable; subject, however, to such alterations and changes as Congress may from time to time think proper to make. It is understood between the parties, that, if in consequence of the mode in which lands have been surveyed in Texas, or from previous grants or locations, the sixteenth section cannot be applied to the purpose of education, Congress shall make equal provision by grant of land elsewhere. And it is also further understood, that, hereafter, the books, papers, and documents of the General Land Office of Texas shall be deposited and kept at such place in Texas as the Congress of the United States shall direct.

ARTICLE V.

The United States assume and agree to pay the public debts and liabilities of Texas, however created, for which the faith or credit of her Government may be bound at the time of the exchange of the ratifications of this treaty; which debts and liabilities are estimated not to exceed, in the whole, ten millions of dollars, to be ascertained and paid in the manner hereinafter stated.

The payment of the sum of three hundred and fifty thousand dollars shall be made at the Treasury of the United States, within ninety days after the exchange of the ratifications of this treaty, as follows: Two hundred and fifty thousand dollars to Frederick Dawson, of Baltimore, or his executors, on the delivery of that amount of ten per cent. bonds of Texas; one hundred thousand dollars, if so much be required, in the redemption of the exchequer bills which may be in circulation at the time of the exchange of the ratifications of this treaty. For the payment of the remainder of the debts and liabilities of Texas, which, together with the amount already specified, shall not exceed ten millions of dollars, the public lands herein ceded, and the nett revenue from the same, are hereby pledged.

ARTICLE VI.

In order to ascertain the full amount of the debts and liabilities herein assumed, and the legality and validity thereof, four commissioners shall be appointed by the President of the United States, by and with the ad-

vice and consent of the Senate, who shall meet at Washington, Texas, within the period of six months after the exchange of the ratifications of this treaty, and may continue in session not exceeding twelve months, unless the Congress of the United States should prolong the time. They shall take an oath for the faithful discharge of their duties, and that they are not directly or indirectly interested in said claims at the time, and will not be during their continuance in office; and the said oath shall be recorded with their proceedings. In case of the death, sickness, or resignation of any of the commissioners, his or their place or places may be supplied by the appointment as aforesaid, or by the President of the United States during the recess of the Senate. They, or a majority of them, shall be authorized, under such regulations as the Congress of the United States may prescribe, to hear, examine, and decide on all questions touching the legality and validity of said claims, and shall, when a claim is allowed, issue a certificate to the claimant, stating the amount, distinguishing principal from interest. The certificates so issued shall be numbered, and entry made of the number, the name of the person to whom issued, and the amount, in a book to be kept for that purpose. They shall transmit the records of their proceedings and the book in which the certificates are entered, with the vouchers and documents produced before them, relative to the claims allowed or rejected, to the Treasury Department of the United States, to be deposited therein; and the Secretary of the Treasury shall, as soon as practicable after the receipt of the same, ascertain the aggregate amount of the debts and liabilities allowed; and if the same, when added to the amount to be paid to Frederick Dawson and the sum which may be paid in the redemption of the exchequer bills, shall not exceed the estimated sum of ten millions of dollars, he shall, on the presentation of a certificate of the commissioners, issue, at the option of the holder, a new certificate for the amount, distinguishing principal from interest, and payable to him or order, out of the net proceeds of the public lands hereby ceded, or stock of the United States, for the amount allowed, including principal and interest, and bearing an interest of three per cent. per annum from the date thereof; which stock, in addition to being made payable out of the net proceeds of the public lands hereby ceded, shall also be receivable in payment for the same. In case the amount of the debts and liabilities allowed, with the sums aforesaid to be paid to Frederick Dawson, and which may be paid in the redemption of the exchequer bills, shall exceed the said sum of ten millions of dollars, the said Secretary, before issuing a new certificate, or stock, as the case may be, shall make in each case such proportionable and ratable reduction on its amount as to reduce the aggregate to the said sum of ten millions of dollars, and he shall have power to make all needful rules and regulations necessary to carry into effect the powers hereby vested in him.

ARTICLE VII.

Until further provision shall be made, the laws of Texas, as now existing, shall remain in force, and all executive and judicial officers of Texas, except the President, Vice President, and heads of departments, shall retain their offices, with all power and authority appertaining thereto, and the courts of justice shall remain in all respects as now established and organized.

ARTICLE VIII.

Immediately after the exchange of the ratifications of this treaty, the President of the United States, by and with the advice and consent of the Senate, shall appoint a commissioner, who shall proceed to Texas and receive the transfer of the territory thereof, and all the archives and public property, and other things herein conveyed, in the name of the United States. He shall exercise all executive authority in said territory necessary to the proper execution of the laws, until otherwise provided.

ARTICLE IX.

The present treaty shall be ratified by the contracting parties, and the ratifications exchanged at the city of Washington, in six months from the date hereof, or sooner if possible.

In witness whereof, we, the undersigned, plenipotentiaries of the United States of America and of the Republic of Texas, have signed, by virtue of our powers, the present treaty of annexation, and have hereunto affixed our seals, respectively.

Done at Washington, the twelfth day of April, eighteen hundred and forty-four

J. C. CALHOUN.	[SEAL.]
ISAAC VAN ZANDT.	[SEAL.]
J. PINCKNEY HENDERSON.	[SEAL.]

MESSAGE.

To the Senate of the United States :

I transmit herewith, for your approval and ratification, a treaty, which I have caused to be negotiated between the United States and Texas, whereby the latter, on the conditions therein set forth, has transferred and conveyed all its right of separate and independent sovereignty and jurisdiction to the United States. In taking so important a step, I have been influenced by what appeared to me to be the most controlling considerations of public policy and the general good ; and in having accomplished it, should it meet with your approval, the Government will have succeeded in reclaiming a territory which formerly constituted a portion, as it is confidently believed, of its domain, under the treaty of cession of 1803, by France, to the United States.

The country thus proposed to be annexed has been settled principally by persons from the United States, who emigrated on the invitation of both Spain and Mexico, and who carried with them into the wilderness which they have partially reclaimed the laws, customs, and political and domestic institutions of their native land. They are deeply indoctrinated in all the principles of civil liberty, and will bring along with them, in the act of re-association, devotion to our Union, and a firm and inflexible resolution to assist in maintaining the public liberty unimpaired—a consideration which, as it appears to me, is to be regarded as of no small moment. The country itself, thus obtained, is of incalculable value in an agricultural and com-

mercial point of view. To a soil of inexhaustible fertility, it unites a genial and healthy climate, and is destined, at a day not distant, to make large contributions to the commerce of the world. Its territory is separated from the United States, in part, by an imaginary line, and by the river Sabine for a distance of 310 miles; and its productions are the same with those of many of the contiguous States of the Union. Such is the country, such are its inhabitants, and such its capacities to add to the general wealth of the Union. As to the latter, it may be safely asserted, that in the magnitude of its productions, it will equal, in a short time, under the protecting care of this Government, if it does not surpass, the combined production of many of the States of the Confederacy. A new and powerful impulse will thus be given to the navigating interest of the country, which will be chiefly engrossed by our fellow-citizens of the Eastern and Middle States, who have already attained a remarkable degree of prosperity by the partial monopoly they have enjoyed of the carrying trade of the Union, particularly the coastwise trade, which this new acquisition is destined in time, and that not distant, to swell to a magnitude which cannot easily be computed; while the addition made to the boundaries of the home market, thus secured to their mining, manufacturing, and mechanical skill and industry, will be of a character the most commanding and important. Such are some of the many advantages which will accrue to the Eastern and Middle States by the ratification of the treaty—advantages, the extent of which it is impossible to estimate with accuracy or properly to appreciate. Texas being adapted to the culture of cotton, sugar, and rice, and devoting most of her energies to the raising of these productions, will open an extensive market to the Western States, in the important articles of beef, pork, horses, mules, &c., as well as in breadstuffs. At the same time, the Southern and Southwestern States will find, in the fact of annexation, protection and security to their peace and tranquillity, as well against all domestic as foreign efforts to disturb them; thus consecrating anew the Union of the States, and holding out the promise of its perpetual duration. Thus, at the same time that the tide of public prosperity is greatly swollen, an appeal, of what appears to the Executive to be of an imposing, if not of a resistless character, is made to the interests of every portion of the country. Agriculture, which would have a new and extensive market opened for its produce; commerce, whose ships would be freighted with the rich productions of an extensive and fertile region; and the mechanical arts, in all their various ramifications, would seem to unite in one universal demand for the ratification of the treaty. But important as these considerations may appear, they are to be regarded as but secondary to others. Texas, for reasons deemed sufficient by herself, threw off her dependence on Mexico as far back as 1836, and consummated her independence by the battle of San Jacinto, in the same year; since which period, Mexico has attempted no serious invasion of her territory; but the contest has assumed features of a mere border war, characterized by acts revolting to humanity. In the year 1836, Texas adopted her Constitution, under which she has existed as a sovereign Power ever since, having been recognised as such by many of the principal Powers of the world; and contemporaneously with its adoption, by a solemn vote of her people, embracing all her population but ninety-three persons, declared her anxious desire to be admitted into association with the United States, as a portion of their territory. This vote, thus solemnly taken, has never been reversed; and now, by the action of her constituted

authorities, sustained as it is by popular sentiment, she reaffirms her desire for annexation. This course has been adopted by her, without the employment of any sinister measures on the part of this Government. No intrigue has been set on foot to accomplish it. Texas herself wills it, and the Executive of the United States, concurring with her, has seen no sufficient reason to avoid the consummation of an act esteemed to be so desirable by both. It cannot be denied, that Texas is greatly depressed in her energies by her long-protracted war with Mexico. Under these circumstances, it is but natural that she should seek for safety and repose under the protection of some stronger Power; and it is equally so that her people should turn to the United States, the land of their birth, in the first instance, in pursuit of such protection. She has often before made known her wishes; but her advances have, to this time, been repelled. The Executive of the United States sees no longer any cause for pursuing such a course. The hazard of now defeating her wishes may be of the most fatal tendency. It might lead, and most probably would, to such an entire alienation of sentiment and feeling, as would inevitably induce her to look elsewhere for aid, and force her either to enter into dangerous alliances with other nations, who, looking with more wisdom to their own interests, would, it is fairly to be presumed, readily adopt such expedients; or she would hold out the proffer of discriminating duties in trade and commerce, in order to secure the necessary assistance. Whatever step she might adopt, looking to this object, would prove disastrous, in the highest degree, to the interests of the whole Union. To say nothing of the impolicy of our permitting the carrying trade and home market of such a country to pass out of our hands into those of a commercial rival, the Government, in the first place, would be certain to suffer most disastrously in its revenue by the introduction of a system of smuggling, upon an extensive scale, which an army of custom-house officers could not prevent, and which would operate to affect injuriously the interests of all the industrial classes of this country. Hence would arise constant collisions between the inhabitants of the two countries, which would evermore endanger their peace. A large increase of the military force of the United States would inevitably follow, thus devolving upon the people new and extraordinary burdens, in order not only to protect them from the danger of daily collision with Texas herself, but to guard their border inhabitants against hostile inroads, so easily excited on the part of the numerous and warlike tribes of Indians dwelling in their neighborhood. Texas would undoubtedly be unable, for many years to come, if at any time, to resist, unaided and alone, the military power of the United States; but it is not extravagant to suppose that nations reaping a rich harvest from her trade, secured to them by advantageous treaties, would be induced to take part with her in any conflict with us, from the strongest considerations of public policy. Such a state of things might subject to devastation the territory of contiguous States, and would cost the country, in a single campaign, more treasure, thrice told over, than is stipulated to be paid and reimbursed by the treaty now proposed for ratification. I will not permit myself to dwell on this view of the subject: Consequences of a fatal character to the peace of the Union, and even to the preservation of the Union itself, might be dwelt upon. They will not, however, fail to occur to the mind of the Senate and of the country. Nor do I indulge in any vague conjectures of the future. The documents now transmitted along with the treaty lead to the conclusion, as inevitable, that if the boon

now tendered be rejected, Texas will seek for the friendship of others. In contemplating such a contingency, it cannot be overlooked that the United States are already almost surrounded by the possessions of European Powers. The Canadas, New Brunswick, and Nova Scotia, the islands in the American seas, with Texas, trammelled by treaties of alliance, or of a commercial character, differing in policy from that of the United States, would complete the circle. Texas voluntarily steps forth, upon terms of perfect honor and good faith to all nations, to ask to be annexed to the Union. As an independent sovereignty, her right to do this is unquestionable. In doing so, she gives no cause of umbrage to any other Power; her people desire it, and there is no slavish transfer of her sovereignty and independence. She has for eight years maintained her independence against all efforts to subdue her. She has been recognised as independent by many of the most prominent of the family of nations, and that recognition, so far as they are concerned, places her in a position, without giving any just cause of umbrage to them, to surrender her sovereignty at her own will and pleasure. The United States, actuated evermore by a spirit of justice, has desired, by the stipulations of the treaty, to render justice to all. They have made provision for the payment of the public debt of Texas. We look to her ample and fertile domain as the certain means of accomplishing this; but this is a matter between the United States and Texas, and with which other Governments have nothing to do. Our right to receive the rich grant tendered by Texas is perfect; and this Government should not, having due respect either to its own honor or its own interests, permit its course of policy to be interrupted by the interference of other Powers, even if such interference was threatened. The question is one purely American. In the acquisition, while we abstain most carefully from all that could interrupt the public peace, we claim the right to exercise a due regard to our own. This Government cannot, consistently with its honor, permit any such interference. With equal if not greater propriety might the United States demand of other Governments to surrender their numerous and valuable acquisitions, made in past time, at numberless places on the surface of the globe, whereby they have added to their power and enlarged their resources.

To Mexico, the Executive is disposed to pursue a course conciliatory in its character, and at the same time to render her the most ample justice, by conventions and stipulations not inconsistent with the rights and dignity of the Government. It is actuated by no spirit of unjust aggrandizement, but looks only to its own security. It has made known to Mexico, at several periods, its extreme anxiety to witness the termination of hostilities between that country and Texas. Its wishes, however, have been entirely disregarded. It has ever been ready to urge an adjustment of the dispute upon terms mutually advantageous to both. It will be ready at all times to hear and discuss any claims Mexico may think she has on the justice of the United States, and to adjust any that may be deemed to be so on the most liberal terms. There is no desire on the part of the Executive to wound her pride, or affect injuriously her interest; but, at the same time, it cannot compromise by any delay in its action the essential interests of the United States. Mexico has no right to ask or expect this of us—we deal rightfully with Texas as an independent Power. The war which has been waged for eight years has resulted only in the conviction, with all others than herself, that Texas cannot be reconquered. I cannot but repeat the

opinion, expressed in my message at the opening of Congress, that it is time it had ceased. The Executive, while it could not look upon its longer continuance without the greatest uneasiness, has nevertheless, for all past time, preserved a course of strict neutrality. It could not be ignorant of the fact of the exhaustion which a war of so long a duration had produced. Least of all was it ignorant of the anxiety of other Powers to induce Mexico to enter into terms of reconciliation with Texas, which, affecting the domestic institutions of Texas, would operate most injuriously upon the United States, and might most seriously threaten the existence of this happy Union. Nor could it be unacquainted with the fact, that although foreign Governments might disavow all design to disturb the relations which exist under the Constitution between these States, yet that one, the most powerful amongst them, had not failed to declare its marked and decided hostility to the chief feature in those relations, and its purpose, on all suitable occasions, to urge upon Mexico the adoption of such a course in negotiating with Texas as to produce the obliteration of that feature from her domestic policy, as one of the conditions of her recognition, by Mexico, as an independent State. The Executive was also aware of the fact, that formidable associations of persons, the subjects of foreign Powers, existed, who were directing their utmost efforts to the accomplishment of this object. To these conclusions it was inevitably brought by the documents now submitted to the Senate. I repeat, the Executive saw Texas in a state of almost hopeless exhaustion, and the question was narrowed down to the simple proposition, whether the United States should accept the boon of annexation upon fair and even liberal terms, or, by refusing to do so, *force* Texas to seek refuge in the arms of some other Power, either through a treaty of alliance, offensive and defensive, or the adoption of some other expedient, which might virtually make her tributary to such Power, and dependent upon it, for all future time. The Executive has full reason to believe that such would have been the result, without its interposition, and that such will be the result, in the event either of unnecessary delay in the ratification, or of the rejection of the proposed treaty.

In full view, then, of the highest public duty, and as a measure of security against evils incalculably great, the Executive has entered into the negotiation, the fruits of which are now submitted to the Senate. Independent of the urgent reasons which existed for the step it has taken, it might safely invoke the fact, which it confidently believes, that there exists no civilized Government on earth, having a voluntary tender made it of a domain so rich and fertile, so replete with all that can add to national greatness and wealth, and so necessary to its peace and safety, that would reject the offer. Nor are other Powers, Mexico inclusive, likely, in any degree, to be injuriously affected by the ratification of the treaty. The prosperity of Texas will be equally interesting to all, in the increase of the general commerce of the world: that prosperity will be secured by annexation.

But one view of the subject remains to be presented. It grows out of the proposed enlargement of our territory. From this, I am free to confess, I see no danger. The federative system is susceptible of the greatest extension compatible with the ability of the representation of the most distant State or Territory to reach the seat of Government in time to participate in the functions of legislation, and to make known the wants of the constituent body. Our Confederated Republic consisted originally of thirteen members. It now consists of twice that number, while applications are before

Congress to permit other additions. This addition of new States has served to strengthen rather than to weaken the Union. New interests have sprung up, which require the united power of all, through the action of the common Government, to protect and defend upon the high seas and in foreign parts. Each State commits, with perfect security, to that common Government those great interests growing out of our relations with other nations of the world, and which equally involve the good of all the States. Its domestic concerns are left to its own exclusive management. But if there were any force in the objection, it would seem to require an immediate abandonment of territorial possessions which lie in the distance, and stretch to a far-off sea ; and yet no one would be found, it is believed, ready to recommend such an abandonment. Texas lies at our very doors, and in our immediate vicinity.

Under every view which I have been able to take of the subject, I think that the interests of our common constituents, the people of all the States, and a love of the Union, left the Executive no other alternative than to negotiate the treaty. The high and solemn duty of ratifying or of rejecting it is wisely devolved on the Senate by the Constitution of the United States.

JOHN TYLER.

WASHINGTON, *April 22*, 1844.

Messrs. Van Zandt and Henderson to Mr. Calhoun.

LEGATION OF TEXAS,
Washington City, April 15, 1844.

The undersigned, &c., in reply to the inquiries of Mr. Calhoun, Secretary of State of the United States, have the honor to submit the following :

In 1836, after the declaration of the independence of Texas, in pursuance of the orders of the convention and the expression of the popular will, the President *ad interim*, by his proclamation, ordered an election to be held throughout the Republic, for the ratification or rejection of the Constitution which had been adopted by the convention, and for the expression by the people of their wishes in regard to the annexation of Texas to the United States. The result was, that, upon a full poll, but ninety-three votes were given against the annexation.

Following up this declared wish of the people, the first Congress that assembled thereafter passed an act empowering the President to appoint a minister to present the question to the Government of the United States. The proposition having been declined, it was deemed prudent, in order to facilitate negotiations with other countries, not to press the question of annexation further, and therefore it was withdrawn.

Subsequently, in 1842, instructions were given for the informal renewal of the negotiations which, not having been met by a reciprocal action on the part of the United States, were, in August last, again withdrawn, and the attention of the Government of Texas directed to the objects calculated, in its opinion, to secure its safety and advance its prosperity, for the attainment of which reasonable assurances had been received. Afterwards, on the 16th of October last, the proposition for the formation of a treaty

of annexation was made by this Government, through the late Secretary of State, Mr. Upshur, to the Government of Texas. At that time, no arrangement having been concluded inconsistent with such a step, and the Congress having expressed their approbation of the measure, and every expression of public sentiment fully indicating that the people of Texas were yet desirous to consummate a measure believed to be promotive of the mutual welfare of both countries, and without which, from motives of policy or necessity, they might be compelled to adopt measures which, it is to be feared, would engender a feeling of unfriendly rivalry, productive of discord and strife, and dangerous to their mutual peace and quiet, the President of Texas determined to accede to the proposition, and accordingly empowered the undersigned to adjust the terms of the treaty just concluded.

The undersigned have the most abiding confidence, that, should the annexation be consummated, the same will receive the hearty and full concurrence of the people of Texas. And believing that the fate of this treaty, be the decision whatever it may, will forever decide the question of annexation, a question the continued agitation of which has prevented their Government from pursuing rigorously any other policy, they feel the highest gratification that this opportunity has thus been offered. They will not anticipate nor speculate upon the consequences of a rejection. Satisfied, however, that the language, institutions, and locality of the two countries have fitted them for becoming members of the same great political family, or fated them to a conflict of interest, which may result in evil consequences, they trust that it may be so determined as to secure the blessings of liberty to both, and promote the happiness of mankind.

Upon the subject of the public lands, the undersigned submit a summary statement, made from a late report of the Commissioner of the General Land Office to the President of Texas.

	Acres.
He estimates the aggregate at	203,520,000
Lands appropriated -	67,408,673
Remainder unappropriated -	<u>136,111,327</u>

In a report of a committee of the House of Representatives of the Congress of Texas, made to that body on the 12th of January, 1841, the debt and liabilities of the Republic are stated to be as follows :

Funded debt, bearing 10 per cent. interest	\$1,650,000
Bonds sold and pledged, bearing 10 per cent. interest	1,350,000
Treasury notes without interest	3,000,000
Debts of various descriptions, say audited drafts and other claims without interest	1,000,000
	<u>7,000,000</u>

This report includes the interest then accrued, and a number of un-audited claims, supposed to be valid, which were not computed in the report of the Secretary of the Treasury to the same Congress, which report shows the public debt as less than five millions of dollars.

Since the date above referred to, no further general estimate has been made at the Treasury Department. It is known, however, that the reve-

nues of the Government have nearly equalled its expenditures; so that the debt has not been materially increased, except from the interest which has since accrued.

The undersigned avail themselves of this occasion to offer to Mr. Calhoun assurances of their distinguished consideration.

ISAAC VAN ZANDT.

J. PINCKNEY HENDERSON.

Hon. JOHN C. CALHOUN,
Secretary of State.

Mr. Van Zandt to Mr. Webster.—[EXTRACTS.]

LEGATION OF TEXAS,

Washington City, December 14, 1842.

SIR: The undersigned, chargé d'affaires of the Republic of Texas, (under the instructions of his Government,) begs leave to submit for your consideration a subject of general concern to civilized nations, but of peculiar interest to Texas, viz: *the character of war at present waged against Texas by Mexico.* From the nature of the facts involved, it is believed that this step will be deemed not only admissible, but entirely proper.

The civilized and Christian world are interested in the unimpaired preservation of those rules of international intercourse, both in peace and war, which have received the impress of wisdom and humanity, and been strengthened through a long course of time by the practice and approval of the most enlightened of modern States. To these rules, in their application to the pending difficulties between Texas and Mexico, your attention is respectfully invited.

Whenever a people separate and sovereign are admitted into the great community of nations, they incur responsibilities and contract obligations which are reciprocal in their character, and mutually binding upon all the members of that community, the extent and force of which depend upon that code of ethics which prescribes the reciprocal duties and obligations of each sovereign member. Hence arises the right to supervise the mode and manner of warfare pursued by one nation towards another, and the corresponding duty of inhibiting the perpetration of acts at variance with the laws of humanity and the settled usages of civilized nations.

In view of the character of hostilities at present waged by Mexico and Texas, and of those principles which it is believed have been so frequently and flagrantly violated by Mexico, the hope is confidently indulged by my Government that the direct interference of nations mutually friendly will be exerted to arrest a species of warfare unbecoming the age in which we live, and disgraceful to any people professing to be civilized.

The course of conduct uniformly observed by the Government and people of Texas towards Mexico stands in palpable contrast with the manifold enormities and wanton aggressions of the latter, and will, it is confidently believed, furnish abundant ground for the exercise of the right of interference now invoked.

What is most to be deplored in a war of this character is, that the unoffending and defenceless become victims of the most relentless cruelty.

War, in its most generous and noble aspect, is accompanied by great calamities. Nations are seldom benefited by it, and it must be productive of great individual suffering. But when individuals and nations are exasperated by repeated wrongs, even cruelty may be rendered tolerable, when it is used as retaliation for injuries long endured. The massacres and cruelties which have been inflicted upon Texas since the commencement of the revolution have been responded to by a generous forbearance. But that forbearance cannot be expected much longer to exist.

The object of Mexico in her course cannot be misunderstood. By incursions of the character complained of she may depress our husbandmen and farmers; the cry of invasion that is kept up, and the excitement incident to a state of war, may prevent emigration and embarrass our revenue, by deterring men of enterprise and capital from making importations of goods into our country. These, for a time, may avail her something; but the aggregate of human suffering will be a poor recompense for the advantages thus gained. The origin, genius, and character of the people of Texas are guarantees for her ultimate success. Nations that contribute to her advancement will command her gratitude.

Never since eighteen hundred and thirty-six has Mexico attempted any thing of the character of a general invasion of Texas, or conducted the war upon any plan calculated to test the superiority of the two nations upon the field of battle, and bring the war to a close by the arbitrament of arms. Her hostile demonstrations, thus far, have consisted exclusively in the clandestine approach of small bands of rancheros from the valley of the Rio Grande, accompanied by Indians, (both of whom are actuated from purposes of plunder and theft,) but sometimes associated with fragments of the Mexican army, composed, for the most part, of convict soldiery, fitted for nothing either honorable in enterprise or magnanimous in conduct.

The people of Texas being for the most part agriculturists, and engaged in the tillage of the soil, the consequences of this predatory warfare have been to them extremely vexatious and harassing, without in any degree hastening the adjustment of the difficulties existing between the parties. Entirely different is the general character of the Mexican population. They are literally a *nation of herdsmen*; subsisting in a great measure from the proceeds of their flocks and herds, they can move about from place to place, and make their homes wherever inclination or convenience may prompt, without detriment.

Hitherto the conduct and disposition of the Government and people of Texas have been diametrically opposed to those manifested by Mexico. While Mexico has been depredating upon the property of our exposed and defenceless frontier, murdering the inhabitants in cold blood, or forcing them away into a loathsome and too often fatal captivity, inciting the numerous tribes of hostile Indians, who reside along our northern frontier to plunder our exposed settlements, stimulating them to the most cruel and barbarous massacres and inhuman butcheries even of our defenceless women and children, and to commit every excess of savage warfare, Texas, animated by the hope of avoiding a further resort to arms, and the attendant calamities, for injuries received, returned forbearance; her President has sought to abstain from the effusion of blood, and with that aim has uniformly restrained the impetuosity and calmed the excitement of his countrymen, so often aroused by a course of conduct which violates every

right, both private and national, and a cruelty and depravity which would disgrace the darkest ages of feudal barbarism. The popular impulse might have been turned upon the enemy upon their own soil; the result might have proved that a free people, burning with vengeance long restrained, could levy a heavy retribution.

Such being the character of hostile operations against Texas, on the part of our enemy, which being plainly violative of every principle of civilized, Christian, or honorable warfare, and at the same time so little calculated to achieve the professed object of the war, the reconquest of Texas, the President confidently hopes the Government of the United States will feel not only justified but even called upon to interpose its high authority to arrest this course of proceeding, and to require of Mexico either the recognition of the independence of Texas, or to make war upon her according to the rules established and universally recognised by civilized nations. It is believed that this subject addresses itself to the Government of the United States with peculiar force, having been the first to welcome us into the family of nations. Many of her citizens were thereby induced to emigrate to Texas, some of whom have gone only for purposes of trade, others to become citizens, and share the common fate of our young Republic, but both of whom are alike exposed to the outrages alluded to. Again: the United States being the leading and oldest independent Power on this continent, and long famed for the correctness of her principles, her highly enlightened and magnanimous policy both in peace and war, entitle her to the exercise of the interposition invoked, without subjecting her to the imputation of arrogance.

If Mexico believes herself able to resubjugate Texas, her right to make the effort will not be denied; on the contrary, if she chooses to invade our territory with that purpose, the President, in the name of the people of all Texas, will bid her welcome. It is not against a war with Mexico that Texas would protest. This she deprecates not. She is willing at any time to stake her existence as a nation upon the issue of a war conducted upon Christian principles. It is alone against the unholy, inhuman, and fruitless character it has assumed, and still maintains, which violates every rule of honorable warfare, every precept of religion, and sets at defiance even the common sentiments of humanity, against which she protests and invokes the interposition of those powerful nations which have recognised her independence.

The Government of Texas has already given an earnest of her disposition to consult the wishes of other nations, when those wishes do not conflict with the general interest and convenience of the country. Fully appreciating the friendly sentiments of the United States and other Powers, who had acknowledged the independence of Texas, and relying much upon their ability and influence in securing an early and permanent adjustment of our difficulties with Mexico, the President, in compliance with the desire of the United States and other Governments, expressed through their representatives to the Texan Government, revoked the late proclamation of blockade against Mexico, and at a time when our navy was preparing to enforce it with greater rigor, and thus removed every cause of embarrassment to those nations in their intercourse with our enemy.

Having thus yielded the opportunity of retaliating upon our enemy for the many injuries we had received at their hands, less reluctance is felt in making this representation, and invoking the interposition of the United

States to put an end to a mode of warfare at once disgraceful to the age, so evil in its consequences to civil society, so revolting to every precept of the Christian religion, and shocking to every sentiment of humanity.

The undersigned avails himself of the occasion to offer to Mr. Webster renewed assurances of his distinguished consideration.

ISAAC VAN ZANDT.

HON. DANIEL WEBSTER,
Secretary of State of the United States.

Mr. Upshur to Mr. Murphy.

No. 6.]

DEPARTMENT OF STATE,

Washington, August 8, 1843.

SIR: A private letter from a citizen of Maryland, then in London, contains the following passage:

"I learn, from a source entitled to the fullest confidence, that there is now here a Mr. Andrews, deputed by the abolitionists of Texas to negotiate with the British Government. That he has seen Lord Aberdeen, and submitted his *projet* for the abolition of slavery in Texas, which is, that there shall be organized a company in England, who shall advance a sum sufficient to pay for the slaves now in Texas, and receive in payment Texas lands; that the sum thus advanced shall be paid over as an indemnity for the abolition of slavery; and I am authorized by the Texan minister to say to you, that Lord Aberdeen has agreed that the British Government will guaranty the payment of the interest on this loan, upon condition that the Texan Government will abolish slavery."

The writer professes to feel entire confidence in the accuracy of this information. He is a man of great intelligence, and well versed in public affairs. Hence I have every reason to confide in the correctness of his conclusions. There is, however, some difficulty in understanding the terms of the proposition as he has given them. If the money to be advanced is to be repaid in Texas lands, it can scarcely be regarded as a loan, and of course there is no necessity for any guarantee on the part of the English Government. I think it probable that alternative propositions have been made: the one for an advance to be repaid in lands, and the other for a loan to be guarantied by the English Government. But, whatever the precise terms of the proposition may be, there seems to be no doubt as to the object in view, and none that the English Government has offered its co-operation.

A movement of this sort cannot be contemplated by us in silence. Such an attempt upon any neighboring country would necessarily be viewed by this Government with very deep concern; but when it is made upon a nation whose territories join the slaveholding States of our Union, it awakens a still more solemn interest. It cannot be permitted to succeed without the most strenuous efforts on our part to arrest a calamity so serious to every part of our country.

If such an attempt were confined to the "abolitionists of Texas," it would scarcely merit grave consideration. Their numbers, it is believed, are very small; and the state of public opinion in that country is by no means favorable to the success of their enterprise. But if it be a fact that

it has engaged the attention of Lord Aberdeen, and that he has pledged the co-operation of the English Government to a certain extent, it possesses an importance which demands our serious attention. It cannot be supposed that England means to limit her designs to the emancipation of a few thousand slaves. She would have ulterior objects far more important to her, and far more interesting to us.

We might probably consider this as part of a general plan by which England would seek to abolish domestic slavery throughout the entire continent and islands of America, in order to find or create new markets for the products of her home industry, and at the same time to destroy all competition with the industry of her colonies. In the great staples of sugar and cotton, her colonies of the East and West Indies are unable to compete with the slave labor of the United States, Texas, and Brazil. Experience has shown that those articles cannot be produced to any considerable extent on the continent of America by the labor of white men; and of course, if slavery can be abolished on that continent, the great rivals of her colonial industry will be removed. This fact affords an explanation, for which we should seek elsewhere in vain, of many of her most important measures. No other adequate motive can be found for her determined and persevering course in regard to domestic slavery in other countries. This view of the case should never be lost sight of in forming our opinions of the object and probable tendency of all her movements upon this point.

It is an important thing to England to obtain an influence over the policy of Texas; and the present situation of that country offers her every encouragement to make the attempt. Pressed by an unrelenting enemy on her borders, her treasury exhausted, and her credit almost destroyed, Texas is in a condition to need the support of other nations, and to obtain it upon terms of great hardship and many sacrifices to herself. If she should receive no countenance and support from the United States, it is not an extravagant supposition that England may and will reduce her to all the dependence of a colony, without taking upon herself the onerous duties and responsibilities of the mother country. The aid which it is said she now offers toward the abolition of slavery, although probably not the first, is a very important step; it will be followed by others, which will not fail to establish for her a controlling influence for many years to come. The United States have a high interest to counteract this attempt, should it be made. Texas is already an important customer to us. Being herself exclusively and almost necessarily agricultural, she must depend on other countries for nearly all the manufactured articles of every sort which her people need. Her sympathies are now with us, and her geographical position enables her to trade with us more advantageously than with any other country. Should her Government be settled upon terms which will leave her free and independent in fact as well as in name, her population, and consequently her productive industry and her trade, will increase rapidly; her territory will soon be filled with people who will be liberal purchasers of our manufactures, without offering the slightest competition with that branch of our industry. Hence we have a high interest to keep her as far as possible from the influences of other countries. Left to herself, we have no reason to fear any rivalry, either in her trade or in the friendly feelings of her people. The manufacturing industry of the United States is not yet so prosperous as to relieve the Government from all care to provide proper means of fostering and extending it. The best and the all-sufficient means

is to provide for it suitable markets for the sale of its products. It has now attained a degree of excellence which enables it to compete with that of any other country upon fair and equal terms ; but it cannot sustain itself if the markets on which it has heretofore relied shall be virtually shut against it, by the superior advantages offered to the manufacturers of other countries. Certainly no measure calculated to produce such a result can be unworthy the serious attention and watchful care of this Government.

Contemplating this anti-slavery movement, if it has been or shall be made, as part of a system by which England hopes to obtain an influence over the policy of Texas, we cannot be at a loss to estimate its importance. Give to England more favorable terms of trade than the United States can obtain, and her manufactures of all kinds will be thrown into Texas, not merely for the supply of that country, but with a view to have them smuggled into the United States. This will be an easy process, and one which this Government will find it impossible to arrest. Our Southern and Southwestern States will be filled with the manufactures of England, smuggled across the Red river and through the interior waters of Louisiana. Thus the manufacturing States of our Union will not only lose the market of Texas itself, but they will also lose, to a great extent, the still more valuable market of our Southern and Southwestern States. This result is not only probable, but it is almost certain. It is too important to be contemplated without very grave concern on the part of this Government.

The effect on the cotton-growing States of our Union, although it will not be equally disastrous, will yet be very seriously felt. The cotton of Texas will necessarily be given in exchange for the manufactures of England, and of course it will take the place, to that extent, of the supplies now furnished to that country by the United States.

The effect of this state of things upon the revenues of the United States is not unworthy of consideration. Importations from England will cease to the extent of the supply which will be smuggled into this country ; and the revenue from customs must be diminished in the same proportion, and, as a necessary consequence, the navigating interests of our people will suffer in no inconsiderable degree.

It is quite certain that the mere emancipation of the slaves of Texas could not produce these momentous results. It is not in that view that I press the subject upon your attention. The diplomacy of England has heretofore been scarcely less successful than her arms, in obtaining for her the largest share of the commerce of the world. Her movements are generally begun at a distance, and her approaches are gradual and cautious ; and for that very reason, they rarely fail of success. Doing nothing in the beginning to excite the suspicions or rouse the jealousy of other nations, her plans are not often fully developed until it is no longer possible to oppose them. It is in this view of her policy, that the present supposed movement becomes important. It is of little consequence to her whether twelve or fifteen thousand Africans in Texas be bond or free ; but it is of great consequence to her to create a sympathy with that people ; to acquire an interest in their industry ; to found a claim upon their favor, and to control their policy. Precisely in proportion as she shall be successful in these particulars, will the commercial and manufacturing interests of the United States suffer. Hence the necessity of looking narrowly to her first steps, however distant they may seem to be from their supposed objects.

But there is another view of this subject still more important to us, and

scarcely less important to Texas herself. The establishment, in the very midst of our slaveholding States, of an independent Government, forbidding the existence of slavery, and by a people born, for the most part, among us, reared up in our habits, and speaking our languages, could not fail to produce the most unhappy effects upon both parties. If Texas were in that condition, her territory would afford a ready refuge for the fugitive slaves of Louisiana and Arkansas, and would hold out to them an encouragement to run away, which no municipal regulations of those States could possibly counteract. Even if this Government should interpose for the protection of the slaveholder, it would be very difficult so to arrange the subject as to avoid disputes and collisions. The States immediately interested would be most likely to take the subject into their own hands. They would perceive that there could not be any security for that species of property, if the mere crossing of a geographical line could give freedom to the slave; they would perceive that the protection thus offered to the slave would remove from his mind that dread of consequences which restrains him from the commission of the worst crimes; they would feel that the safety of themselves and their families was endangered; they would live in continual uneasiness and alarm, and in the constant exercise of a painful and harassing watchfulness. It is not to be supposed that a people conscious of the power to protect themselves would long submit to such a state of things. They would assume the right to reclaim their slaves by force, and for that purpose would invade the territory of Texas. It is not difficult to see that quarrels and war would soon grow out of this state of things. If this Government should make itself a party in asserting the rights of the slaveholder, the result could not fail to be unfavorable to Texas. If this Government should refuse to become a party, it would feel itself under an obligation to interpose for the purpose of checking and controlling its own citizens. It is not probable that such an interposition would be effectual against the vital interests, the common rights, and the exasperated feelings of twelve States of the Union. I leave it to your own reflection, sir, to suggest to you the effect of such a state of things upon the harmony of our Union.

We cannot apply to a case of this sort any analogy drawn from the contiguity of slaveholding and non-slaveholding States of our Union. We live under a common Government, and are bound together by a thousand political and social ties. Our Constitution guaranties all the rights of the slaveholder, and there is an act of Congress which provides the means of enforcing them. There is among us a common power, which all are bound to obey, and to which all have a right to appeal. But, what is still more influential, we have common rights and (if correctly understood) common interests; and out of those have sprung all the strong sympathies which bind together the people of the same country. The slaveholder of the United States has not yet lost the hope that all the embarrassments which individuals or States have thrown in the way of that property may be removed by the quiet action of our own systems; and, even if it were otherwise, he would bear much and forbear long rather than bring into danger the peace and harmony of our Union. But he would have no such motives for forbearance towards a foreign country. He could not have the same hope of a peaceful redress of his wrongs, nor the same interest patiently to bear them, nor the same social ties and friendly feelings to repress or moderate his resentments. With regard to Texas, the question

would merely be, whether he should submit to intolerable and ruinous wrongs, or protect himself by force. Between such alternatives, it is impossible to suppose that he would hesitate a moment.

Neither is there any just analogy, so far as this question is concerned, between Texas and the Canadas. Those provinces are separated from the slaveholding States by many intervening non-slaveholding States. They cannot be reached by the slave, by land, without his passing through States of our Union whose laws give him freedom by the very fact of his treading on their soil. It is at least questionable, therefore, whether Canada would not have a right to consider the slave a freeman, upon the very principles of our own institutions. Besides, the distance of that country from the slaveholding States affords a sufficient security against any serious injury from that source. Canada is the secondary recipient of the fugitive slave; and our measures ought, in all justice, to be first taken against the authorities which first receive and shelter him.

I am very desirous, sir, to impress this subject upon your attention; and for that reason I have presented it to you in some of the strong lights in which it has struck my own mind. It is worthy, therefore, of your most vigilant care. Few calamities could befall this country more to be deplored than the establishment of a predominant British influence and the abolition of domestic slavery in Texas.

No communication has been received from you at this department since that which enclosed President Houston's proclamation of an armistice concluded with Mexico. I am in great uncertainty as to the true state of this matter. A letter from Mr. Thompson, our minister at Mexico, informs me that an order has been issued by that Government, directing that all "foreigners" taken in the ranks of her enemies shall be put to death. As Texas is the only country with which she is now at war, this order can apply only to those who may be taken prisoners while fighting under her banner; and it would seem that there could not have been any necessity for such an order in regard to them, if an armistice had been agreed on in good faith, with a view to arrangements for peace. It is very important that this Government should be promptly and accurately informed of all important occurrences in Texas and Mexico. It is expected that you will lose no opportunity of communicating such information. Be pleased to make your communications full and *accurate*, commencing your narrative of events at the point at which your predecessor left off. The history of the legation should be continuous and unbroken.

I am, sir, your obedient servant,

A. P. UPSHUR.

W. S. MURPHY, Esq., &c.

Mr. Murphy to Mr. Upshur.

LEGATION OF THE UNITED STATES,

Galveston, September 24, 1843.

SIR: Your despatch of 8th August last, (No. 6,) received by Mr. Abell, presents a subject of the deepest interest to our beloved country, and one which demands from me a most ardent, patient, and full investigation, reaching throughout the time likely to be allotted to me here. It shall

have all I can bestow of patient labor and incessant watchfulness; and, as information can be had, or as the policy or machinations of the secret foes of our common country may be developed here, you shall have the earliest information from me thereof.

Having not been inattentive to this vast interest of our country heretofore, I have collected some facts which I will present to your consideration, as data for future reference.

This Andrews, to whom your London correspondent alludes, before he visited London, had resided with his family at Houston, in Texas, for some four or five years—was a lawyer in good practice, and a man of some property in and about Houston. On his return, the citizens having found out the object of his mission to London, and that he had been making propositions to the British Government for the abolition of slavery in Texas, drove him, by force, from the State, denying him the privilege of return.

Such is the temper and mind of the people, on the subject of abolition.

I learn here that the plan proposed by this Andrews, to Lord Aberdeen, and to which, undoubtedly, your correspondent in London alludes, was this: that the abolition society of London should raise a fund sufficient for the purchase of all the slaves in Texas, and place it under the control of the Government of Texas. The Government of Texas would grant lands to the abolition society, fully and amply sufficient to secure the society against all loss, and be to the society a vast fund, in addition to their advances, for the support of their future operations, (in the United States of course.) The British Government entered warmly into the plan, and offered to secure the payment of the money to Texas, if Texas would allow her agent or commissioner, for that purpose appointed, to select the lands and adjudge the quantity. And if there was the least delay in the payment of the money, after the regular transfer of the lands, England would pay the interest during the delay.

This version of the ridiculous transaction played off in London, as understood here by several intelligent citizens who had conversed with Andrews, after his return, on the subject, may serve to illustrate the meaning of your London correspondent in that part of his statement of Andrews's proposition which would seem to treat the money, by the abolition society to be advanced, as a loan.

But the negotiations now on foot between Texas and Mexico, through the mediation or rather under the control of Great Britain, has changed entirely the whole character of affairs, and demands the most prompt and energetic action of the Government of the United States.

The people of Texas love their Constitution and forms of government; and ninety-nine out of a hundred would die for their preservation.

The Constitution of Texas secures to the master the perpetual right to his slave, and prohibits the introduction of slaves into Texas from any other quarter than the United States.

If the United States preserves and secures to Texas the possession of her Constitution, and present form of government, then have we gained all that we can desire, and also all that Texas asks or wishes.

Now, seeing the length of time that Mexico has been engaged in a fruitless effort to conquer Texas, the vast injury which such a protracted state of things has inflicted upon our commerce in the Gulf, the interference of England in the strife between these two Republics here on our

border, secretly endeavoring to persuade one nearest to and immediately adjoining the United States to give up to the other, and surrender her independence, and civil, political, and religious liberties, to a Roman Catholic country; the impossibility of Mexico's ever being able to pay off to England the forty or fifty millions debt claimed by England as due for many years, unless Texas is again added to Mexico, and perhaps after such addition transferred to England in full payment of the debt—seeing that this surrender of sovereignty by Texas to Mexico at once liberates all the slaves in Texas, and that England thereby gains all she wants, and more than she ever expected, can the Government of the United States longer doubt what to do?

Pardon me, I am warm on this subject. Ought not the United States to say at once to Mexico: you shall keep this contest open no longer; you are by so doing inflicting serious injuries on the commerce of the United States; you are enticing and inviting the intrigues and interference of foreign Powers, who have no business or concern here, or right to intermeddle in this matter; you have had eight years to conquer Texas; you have tried, and always failed, and we now demand, peremptorily, that you at once acknowledge the independence of Texas, that these evils, which we have borne long enough on your account, may cease. Let the United States do this, and she gains every thing—England nothing.

Excuse the warmth of my feelings. I have gone too far to give my advice. But I have only stated what I know to be the wishes of the people of Texas. Take this position on the side of the Constitution and the laws, and the civil, political, and religious liberties of the people of Texas secured thereby, (saying nothing about abolition,) and all the world will be with you.

With sentiments of profound respect and esteem, I have the honor to be your obedient servant,

W. S. MURPHY.

Hon. A. P. UPSHUR,

Secretary of State of the United States, &c.

Mr. Murphy to Mr. Upshur.—[EXTRACTS.]

LEGATION OF THE UNITED STATES,

Galveston, Texas, September 23, 1843.

Your despatch, by Mr. Abell, made a deep impression on my mind. For many years I have looked with anxious solicitude to this growing fanaticism, and the evils it was likely to bring upon my country. The eloquent manner in which you have portrayed those evils has deepened those impressions; and, adding to the dark shaded picture which you have so justly drawn, the present prospect which England has of possessing herself in part or in whole of this province of Texas, giving her the opportunity and advantage to work her own will in regard to abolition, I feel a whirlwind of emotion in my bosom, which I will not attempt to describe. Let the Government of the United States take some immediate quick step on this subject. You have in this correspondence enough to justify immediate and prompt action.

* * * * *

Pardon me if I am too solicitous on this subject. I feel the deep interest at stake. Our whole Southern interests are involved in this negotiation, and with it the interest of the Union itself. The great blow to our civil institutions is to be struck here, and it will be a fatal blow if not timely arrested.

England is anxious to get rid of the Constitution of Texas, because it secures, in the most nervous and clear language, the rights of the master to his slave, and it also prohibits the introduction of slaves into Texas from any other nation or quarter than the United States. Now, all the United States has to do is, to aid the people of Texas in sustaining their Constitution—that Constitution which, whilst it effectually secures the rights of the master, secures to the people the blessings of civil, political, and religious liberty. Saying nothing, therefore, which can offend even our fanatical brethren of the North, let the United States espouse at once the cause of civil, political, and religious liberty in this hemisphere; this will be found to be the safest issue to go before the world with. On this issue, we can defy the world; and the decision of this issue in our favor gains all we want to gain.

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Mr. Upshur to Mr. Murphy.—[EXTRACT.]

DEPARTMENT OF STATE,
Washington, September 22, 1843.

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My despatch (No. 6) will have informed you of the very deep concern with which the President regards the policy and measures of England with reference to Texas. No doubt is entertained that the success of her efforts will produce the most serious effects, not only upon the interests, but upon the tranquillity of this country. Her operations necessarily embrace Mexico as well as Texas; hence, there is a strong necessity that there should be frequent and free communications between yourself and Mr. Thompson, our minister at Mexico.

Mr. Upshur to Mr. Murphy.—[EXTRACTS.]

[Confidential.]

DEPARTMENT OF STATE,
Washington, September 22, 1843.

SIR: Your letter of the 8th of July, marked "private," is received. I regret exceedingly to learn that there is any misunderstanding on the part of any portion of the people of Texas, in regard to the feeling with which the United States regard that country. Surely, there never existed a stronger cause for national sympathy than that which binds us to the people of Texas. We have every motive, of interest as well as of feeling,

to cherish that people, to encourage and aid ~~them~~ in all honorable courses, and to rejoice in their prosperity. It is very important that this should be understood in Texas. You will learn, from my last public despatch, forwarded by Mr. Abell, the apprehensions felt by this Government, in regard to the policy and measures of England in the Gulf of Mexico. She claims to have, at this moment, a controlling influence there, and her statesmen in Parliament speak openly of the necessity of "maintaining her *ascendancy*." It is not possible to misunderstand her. So far as this *Government* is concerned, it has every desire to come to the aid of Texas, in the most prompt and effectual manner. How far we shall be supported by the people, I regret to say, is somewhat doubtful. There is no reason to fear that there will be any difference of opinion among the people of the slaveholding States and there is a large number in the non-slaveholding States with views sufficiently liberal to embrace a policy absolutely necessary to the salvation of the South, although in some respects objectionable to themselves. The more the subject is reflected on, the more will the truth appear, that the North have a much deeper interest in it than the South. The policy which the South would pursue would simply give them *security*, and no other advantage whatever. On the contrary, it would injure their chief agricultural interest, by raising up a powerful competitor. The North, on the contrary, would find in it a new or a least an enlarged market for their manufactures, a cheapening of cotton, the principal raw material, a new field for their commerce, and a considerable extension of their navigating interests. Of this, I have every reason to hope that they will soon be convinced; no effort will be spared to lay the truth before them. If it should be successful, the destinies of Texas will be bright indeed; if it should fail, she will at least be no worse off than she is at present. Hence, she has every motive to hold on to her present position, and to yield nothing to British counsels or British influence. She may rest assured that the very moment that she shall commit herself to British protection, she will be the lamb in the embrace of the wolf.

I cannot, of course, authorize you to say these things in an official form, because I do not know how far Congress will be disposed to sustain the measures of the Executive. My object is merely to enable you to understand our views and feelings, and to estimate the chances of success in the policy which we wish to pursue. You can make them known, in an unofficial way, to any extent to which you may think it prudent to go. At all events, Texas must not be permitted to throw herself into the arms of England, under any impression that this Government, or this people, is either hostile or even cold towards her.

Permit me earnestly to urge upon you, the most untiring vigilance of the movements of the British Government. She is pushing on her policy more rapidly than she herself intended, and its results threaten to endanger the peace of the world. Our country has an interest in it, which involves her destinies. I hope, therefore, that you will not fail to communicate with this department as frequently as possible, omitting nothing which may have even a remote bearing on the important concerns to which your attention has been called.

I have the honor to be, sir, your obedient servant,

A. P. UPSHUR.

W. S. MURPHY, Esq., &c.

Mr. Upshur to Mr. Everett.

No. 61.]

DEPARTMENT OF STATE,

Washington, September 28, 1843.

SIR : The movements of Great Britain, with respect to African slavery, have at length assumed a character which demands the serious attention of this Government. So long as we were permitted to believe that the effort to abolish slavery was confined to private individuals, actuated by a sense of justice or a feeling of philanthropy, we were content to leave the issue to the calm reason of our own people and the guarantee of our Constitution and laws. As a domestic question, the Government does not possess, and, it is presumed, will never attempt to exercise, any authority over it. But it now wears a different aspect, and presents itself in a much more formidable attitude. There are many and strong reasons for believing that the abolition of domestic slavery throughout the continent and islands of America is a leading object in the present policy of England. If that policy were confined to her own dominions, we should have no right to complain. Although we had just reason to apprehend an evil influence from the example which she set in the liberation of her West India slaves, that was a measure which she had a perfect right to adopt, and which, therefore, could not justly subject her to the charge of unfriendliness to other Powers. But if it be her purpose to extend her policy to other countries, and to use her influence to bring about a state of things calculated seriously to affect the institutions of nearly half the States of our Union, the duty which we owe, not only to our interests, but to our independence and dignity, demands a prompt and decided counteraction on our part.

The remarks of Lord Brougham and Lord Aberdeen, in the House of Lords, on the 18th of August, as reported in the London Morning Chronicle of the succeeding day, have attracted the President's attention. They are reported as follows :

"TEXAS.—In the House of Lords, on Friday, the 18th August, Lord Brougham introduced the subject of Texas and Texan slavery in the following manner, as reported in the London Morning Chronicle of the morning of the 19th :

"Lord Brougham said that seeing his noble friend at the head of the Foreign Department in his place, he wished to obtain some information from him relative to a State of great interest at the present time, namely, Texas. That country was in a state of independence, *de facto*, but its independence had never been acknowledged by Mexico, the State from which it was torn by the events of the revolution. He was aware that its independence had been so far acknowledged by this country that we had a treaty with it.

The importance of Texas could not be underrated. It was a country of the greatest capabilities, and was in extent fully as large as France. It possessed a soil of the finest and most fertile character, and it was capable of producing nearly all tropical produce, and its climate was of a most healthy character. It had access to the Gulf of Mexico, through the river Mississippi, with which it communicated by means of the Red river. The population of the country was said to exceed 240,000, but he had been assured by a gentleman who came from that country, and who was a member of the same profession as himself, that the whole population, free and slaves, white and colored, did not exceed 100,000; but he was grieved to learn that not less than one-fourth of the population, or 25,000 persons,

were in a state of slavery. This point led him to the foundation of the question which he wished to put to his noble friend. There was very little or no slave trade carried on with Texas from Africa, directly ; but a large number of slaves were constantly being sent overland to that country. Although the major part of the land in Texas was well adapted for white labor, and therefore for free cultivation, still the people of that country, by some strange infatuation, or by some inordinate love of immediate gain, preferred slave labor to free labor. As all access to the African slave market was shut out to them, their market for slaves was the United States, from whence they obtained a large supply of negro slaves. The markets from whence they obtained their supply of slaves were Georgia, the Carolinas, and Virginia, which States constantly sent their surplus slave population, which would otherwise be a burden to them, to the Texan market. No doubt it was true, as has been stated, that they treated their slaves tolerably well, because they knew that it was for their interest to rear them, as they had such a profitable market for them in Texas. This made him irresistibly anxious for the abolition of slavery in Texas; for if it were abolished there, not only would that country be cultivated by free and white labor, but it would put a stop to the habit of breeding slaves for the Texan market. the consequence would be, that they would solve this great question in the history of the United States, for it must ultimately end in the abolition of slavery in America. He therefore looked forward most anxiously to the abolition of slavery in Texas, as he was convinced that it would ultimately end in the abolition of slavery throughout the whole of America. He knew that the Texans would do much, as regarded the abolition of slavery, if Mexico could be induced to recognise their independence. If, therefore, by our good offices, we could get the Mexican Government to acknowledge the independence of Texas, he would suggest a hope that it might terminate in the abolition of slavery in Texas, and ultimately the whole of the Southern States of America. The abolition of slavery in Texas must put an end to one of the most execrable crimes (for he would not designate it by the honorable name of traffic) that could disgrace a people, namely, the rearing and breeding of slaves, or the being engaged in the sale of our fellow-creatures. He therefore hoped that his noble friend would have no difficulty in letting him know whether he could give any information as to the state of the negotiations on this subject, or as to the nature of the instructions that had been given to our minister in that country. If the production of such documents in the furnishing such information was not suitable at the present moment, he would not press his noble friend; but he had no doubt that his noble friend could confirm his statement, and he trusted that the Government would not lose any opportunity of pressing the subject, whenever they could do so with a hope of success."

"The Earl of Aberdeen, in reply, said that he could state that not only had this country acknowledged the independence of Texas, but also that we had a treaty of commerce and a treaty for the abolition of the slave trade with that Power. He did not believe that there was any importation of slaves into Texas by sea, but it was true that there was a large importation of slaves from the United States into that country. Immediately on the negotiations being entered on with Texas, the utmost endeavors of this country were used to put an end to the war which prevented the full and entire recognition of the independence of Texas by Mexico.

Their endeavors had met with very great difficulties ; and he was unable to say that there was an immediate prospect of obtaining the recognition of the independence of Texas on the part of Mexico ; but it was with great pleasure that he was able to say that, probably, the first step to this had been obtained, namely : that an armistice had been established between the two Powers ; and he hoped that this would lead to the absolute acknowledgment of the independence of Texas by Mexico. The armistice was an important step to obtain ; and he need hardly say that every effort on the part of Her Majesty's Government would lead to that result which was contemplated by his noble friend. He was sure that he need hardly say that no one was more anxious than himself to see the abolition of slavery in Texas ; and if he could not consent to produce papers, or to give further information, it did not arise from indifference, but from quite a contrary reason. In the present state of the negotiations between the two countries in question, it would not contribute to the end they had in view if he then expressed any opinion as to the state of those negotiations ; but he could assure his noble friend that, by means of urging the negotiations, as well as by every other means in their power, Her Majesty's ministers would press this matter.

“ Lord Brougham observed that nothing could be more satisfactory than the statement of his noble friend, which would be received with joy by all who were favorable to the object of the anti-slavery societies.”

The language attributed to Lord Brougham is perfectly explicit and plain. He is hostile to slavery upon principle, and anxious to abolish it every where. He is, however, particularly desirous to abolish it in Texas, because the abolition of it in that country will, in his opinion, necessarily lead to the same result in the United States. He was undoubtedly apprized of the fact that negotiations had been contemplated by the British Government, and were probably then in progress, with a view to the abolition of slavery in Texas ; he expresses a strong interest in their success, and desires to know the nature of the instructions which had been given to the British minister, and what probability there was that the negotiations would lead to the desired result. Lord Aberdeen, declining to give the information asked for by Lord Brougham, because it might be injurious to the negotiations to do so, assures him that Her Majesty's ministers will press them earnestly, and leave no efforts unexerted to bring them to a successful termination. Whether or not the language attributed to Lord Aberdeen was meant to extend beyond the single fact of the liberation of the slaves of Texas may perhaps admit of doubt. But it is fairly susceptible of a much more extended construction. Lord Brougham had spoken of the abolition of slavery in the United States as a necessary and prominent consequence of the abolition of it in Texas ; and Lord Aberdeen assures him that every effort on the part of Her Majesty's Government would lead to that result which was contemplated by his noble friend. It is quite clear that the abolition of slavery in the United States was the most important “ result ” contemplated by Lord Brougham ; and it is not unreasonable to suppose that it was then most prominent in the mind of Lord Aberdeen. It was evidently so understood by Lord Brougham himself, for he declares that the statement made by Lord Aberdeen was perfectly satisfactory, and that it would be “ received with joy by all who were favorable to the object of the anti-slavery society.” That object is *universal* emancipation. Lord Aberdeen said nothing to indicate that he had been misunderstood.

In a matter so seriously affecting a friendly Power, it is not to be supposed that he would have suffered any misapprehension to exist in regard to his meaning and intentions. It does no violence to the rules of fair construction to understand his language as an avowal of designs which, whether so intended or not, threaten very serious consequences to the United States.

The President would be reluctant to believe that any design unfriendly to this country, or aiming at the institutions of any of the States of our Union, enters into the policy of England. He cannot, however, look with indifference upon such declarations as these, made by her leading statesmen, and with the full authority of her Government. He attaches the more importance to these declarations, because they are perfectly consistent with information received from other sources, all tending to the conclusion that the policy of England, in regard to the abolition of negro slavery, is not limited to Texas alone.

No foreign Government can be permitted to interfere, directly or indirectly, with the established institutions of the United States, or of any of the separate States of our Union. The bare suspicion of such a design is calculated to excite, and in this instance has actually excited, a very strong sensation among our people. If Lord Aberdeen has not been misunderstood, the very freedom with which he has avowed his purposes evinces either that strong confidence of success which usually attends well arranged measures, or a strange mistake as to our disposition or ability to counteract him. Be that as it may, he has rendered it necessary that we should know distinctly, and without doubt, how far our just apprehensions upon this point are well founded.

Even if the designs of Great Britain be limited to the emancipation of the slaves of Texas, they cannot be regarded by us with indifference. Although we have no right to control or to direct her policy towards that country, she cannot justly complain of any measure on our part which that policy may render necessary either to our security or our interest. It is scarcely to be doubted that in both these respects the contemplated measure would be injurious to us. Although Lord Brougham may not be correct in supposing that the liberation of the slaves of Texas would necessarily lead to the liberation of those of the United States, yet the States in which slavery exists would have good reason to apprehend the worst consequences from the establishment of a foreign non-slaveholding State upon their immediate borders. In other respects, affecting our commercial, navigating, and manufacturing interests, we should have much reason to regret that measure.

If Texas, of her own free will, shall see cause to abolish slavery within her borders, the United States, however they might regard it as likely to affect their interests, will have no right to complain. But we have a right to object to any measure of a foreign Government which may place her under restraint upon that subject, and lead her, contrary to her own views and wishes, to the adoption of a policy which cannot but be highly injurious to us.

Hence it is of great importance that this Government should be fully and accurately informed in regard to the intentions and measures of the British Government with reference to African slavery on this side the Atlantic. Our own policy will necessarily be affected by hers. The object of this Government is to discover whether it is or is not the design of England to procure the abolition of negro slavery in Texas; whether it is or is not contemplated in her policy to destroy or affect that institution as it

exists in some of the States of our Union; what measures she has pursued and is pursuing for the accomplishment of those objects, or either of them. I cannot, of course, point out to you the channels through which this information may be best acquired. It is probable that much may be learned by free communication with the Texan chargé d'affaires in London. As that country and the United States have a common interest in the questions involved, there is every reason why their Governments should understand each other. Much information may doubtless be obtained from private individuals and from the published proceedings of abolition societies. All these sources of information, however, are only of a secondary and auxiliary character. The circumstances of the case justify and require a direct application to Lord Aberdeen himself. The friendly relations subsisting between the two countries give us a right to expect that there will be no concealment on a point so nearly affecting our interests. And it is equally due to the British Government that it should have an opportunity to remove our well-grounded suspicions, by a distinct disavowal of designs which are incompatible with the harmony of the two countries, and inconsistent with the friendly feelings which they profess towards each other.

You will therefore take an early occasion to bring this subject to the attention of Lord Aberdeen, availing yourself not only of the views here suggested, but of all others which may occur to your own mind as proper to be presented and calculated to attain the object in view.

I would impress upon you the absolute necessity that you carefully observe the proceedings of the British Government touching this important and delicate subject, and that you spare no pains to inform yourself fully and accurately in regard to its objects and designs. It is highly desirable that your communications to this department should be as full and frequent as possible, omitting nothing which it may become this Government to consider with reference to its own measures and policy.

I am, sir, very respectfully, your obedient servant,

A. P. UPSHUR.

EDWARD EVERETT, Esq., &c.

Mr. Upshur to Mr. Everett.

[Confidential.]

DEPARTMENT OF STATE,
Washington, September 28, 1843.

SIR: My public despatch of this date calls your attention to the subject of the attempt which, as we have reason to think, the British Government is now making to procure the abolition of slavery in Texas and the United States. It did not appear to me proper to embody in that despatch all the views of that subject which have been taken by this Government. In order, however, that you may understand what degree of importance is attached to it, I present to you, in this private and semi-official form, some of the most important points on which we have considered it.

It is impossible to suppose that England is actuated in this matter by a mere feeling of philanthropy. We are forced to believe that she is acting

upon motives more in the usual course of policy among great nations, yet equally worthy of her as a wise and powerful country. Her objects undoubtedly are to revive the industry of her East and West India colonies, to find new markets for her surplus manufactures, and to destroy, as far as possible, the rivalry and competition of the manufactures of the United States. That the abolition of African slavery throughout the Western world would lead to these results, is altogether probable. At all events, the plan is sufficiently promising to have engaged the anxious attention of British statesmen; and for that reason, if for no other, it is worthy of careful examination by us.

It is well known that the physical constitution of the African is much better adapted to tropical climates than that of the European. Indeed, in those regions of America which are best suited to the production of sugar, cotton, and rice, the labor of white men cannot be used to any considerable extent. The soils and climates of the East and West India colonies of Great Britain are well adapted to the production of all these articles, and to these may be added the finer kinds of tobacco. If England could produce these things, instead of being compelled to purchase them, it would be an incalculable relief to her people. But this she cannot do, except at a much greater cost than that at which they are now afforded by the labor of slaves. Hence, so far as the industry of her colonies is concerned, she has a direct interest to abolish slavery in those countries in which the labor of that class now supersedes the labor of her colonies.

The importance of new markets for her surplus manufactures is obvious enough. Nations who are free to make their own contracts, and able to support their own policy, are not apt to give advantages in trade, except for fair equivalents. Texas is not in that condition; she must make the best terms she can, and be contented even with the worst, if they be the price of her existence as a nation. There is no reason to believe, therefore, that the demands of England upon that country will be limited to the simple abolition of slavery. She will expect, in return for her interposition and protection, a more substantial advantage; and that will be a treaty of commerce, granting more favorable terms to her than to other nations. This is in the usual course of her policy; and her position, as a friendly mediator and protector, will give her a fair pretence for such a claim. Texas will have no alternative but to allow it.

But the third object which she has in view is still more interesting to us. Even at this day the United States are her most formidable rival in commercial enterprise and in manufacturing skill and industry; and, if we may judge from our rapid advancement hitherto, the time is not distant when we shall surpass her in all these particulars. Whatever is calculated to embarrass our movements or impede our progress is a positive advantage to her. Let us suppose, then, that her present attempt upon Texas, and, through her, upon the United States, will succeed. We shall thus be the better able to estimate the influence which that state of things will exert upon the United States. The question is not sectional. Although the first and most disastrous effects of such a state of things would be felt in the slaveholding States, they would extend to and embrace important interests in every other part of the country. We must contemplate it, therefore, as a national question, and endeavor to ascertain its bearing upon the United States as such, and upon the several portions of the United States.

It is worthy, also, of consideration as a measure of humanity, with reference to the slaves themselves.

No man, who knows any thing of his own nature, can suppose it to be possible that two races of men, distinguished by external and ineffaceable marks obvious to every eye, who have held towards each other, from time immemorial, the relation of master and slave, could ever live together as equals, in the same country, and under the same Government. If, therefore, slavery be abolished, the one or the other of the races must leave the country or be exterminated. This choice would be for the slaves, because they are the weaker party. Where should they fly? To the neighboring free States, for there would be no other place of refuge. Would those States receive them? Let it be remembered that they now number *two and a half millions*; and the free negroes, who must share their fate, number near four hundred thousand more; and let it also be remembered, that nearly all of them are and would be paupers. No wise State would willingly take upon itself the burden of such a population; and, even if all of them were healthy laborers, the evil would scarcely be less. The white laborer would not endure such a competition; he would not agree to work side by side with a degraded caste; he would not submit to have his industry rendered less profitable by the competition of new comers of a strange and dishonoured race. This is sufficiently shown by the well-known occurrences in some of our principal towns, within a few years past. The chances, then, are, that the African would be a persecuted pauper, even as a free citizen of a free State. But even if he should be permitted to share fairly in the labor of the country, that labor would soon come to be considered as his appropriate sphere, and as unworthy of the white man. It is not the policy of our States, nor of England, thus to degrade labor. To all this may be added, the certainty that the African race, existing in large numbers as freemen, in countries whose Governments and laws recognise no difference of color, would not long be satisfied to be excluded from any political right, or civil privilege, or social advantage, allowed to the white man. The discords and angry contests which would grow out of this state of things, and the effect which they would have upon the tranquillity and prosperity of the country, may be easily imagined. A wise Government would avoid them, by at once shutting the door against the emancipated slave. The only alternative would be, the extermination of his race.

So far, then, as the slaves themselves are concerned, their condition would be infinitely worse than it now is, while their influence as freemen upon our manners and social condition would not fail to be in the highest degree unfavorable.

But in another view the subject is equally interesting. What effect would be produced upon the productive industry of the South by withdrawing from it all the labor afforded by two and a half millions of its people? This is nearly one-half the entire population of the slaveholding States. It is not possible to suppose that their places would soon be supplied by white labor. If there were no other difficulty in the way, the climate alone would oppose an insuperable obstacle. But, even under the most favorable circumstances, so large a number of laborers is not easily obtained. Let it be borne in mind that these slaves perform nearly the whole agricultural labor of the South. If that labor should be withdrawn their fields must lie uncultivated, their houses and other improvements must go to decay, and their lands be worth nothing. The utter ruin of

the whole country, and of its credit and creditors, must be the consequence. No influx of new settlers could prevent it. The most rapid course of immigration which has ever yet been witnessed would be too slow to arrest the overwhelming destruction.

But the evil would not be confined to the slaveholding States. A very large proportion—probably not less than three-fourths—of the exports of the United States are, either directly or indirectly, the products of slave labor. We must cease to import when we cease to export. To say nothing of the comforts and accommodations which would thus be lost, or of the disastrous influences which would thus be exerted upon our progress as a refined and enlightened people, the revenue of the country would fail, and the necessary expenditures of Government for the civil administration, for foreign intercourse, and for the means of defence in war, could not be met without a resort to direct taxes. This would be a hopeless experiment. It is very difficult to lay any direct tax in exact conformity with the provisions of the Constitution; and it would be still more difficult, if not absolutely impossible, to make such tax acceptable to the people under the change which would be produced in the ratio of representation by the liberation of the slaves. Besides, the destruction of so much of the agriculture of the country would involve, to the same extent, that of its commerce and navigation; and the consequent impoverishment of the people would render them alike unable and unwilling to pay any tax whatever. If such a state of things should prevail, even for a single year, the consequences would be very disastrous.

There is still another interest which must share largely in this ruin. The vast capital now employed in the manufacture of cotton goods must sink in value in proportion as the labor which produces the raw material shall be withdrawn. The incidental consequences would be little less disastrous. The railroads, the canals, and other similar improvements, which have grown out of the general prosperity of the country, depend on all the combined results of all the pursuits of industry. Even a serious embarrassment of that industry, for any length of time, would materially injure them; but it would be difficult to sustain them at all under such a shock as we have now contemplated. All that has grown out of and depends upon them would fall along with them. We need not follow the subject through all its ramifications; they extend to all the important pursuits of industry throughout the country. It is impossible to calculate the amount of ruin and suffering which would follow the sudden emancipation of the slaves of the United States. It would be not much less, were that measure carried, in any form, by any other agency than that of the States who own the slaves, and who alone can know how rapidly it is practicable or desirable to supply their places with other laborers.

Here is, indeed, a promising field for the policy of England. What better encouragement would the industry of her colonies require, than the simple rise of price in the articles of sugar and cotton, which would be caused by diminished production? What rival need she fear, when the agriculture, the commerce, the manufactures, and the navigation of the United States, shall be thus withdrawn from competition with her?

As these would be the effects of the actual abolition of slavery in the United States, let us inquire what would be its effect if confined to Texas.

It is quite obvious that slavery could not easily be maintained in a country surrounded by other countries whose Governments did not recognise

that institution. The difficulty in the present case would be increased by the fact that those countries would be inhabited by people of the same race with the slave owners, speaking the same language, having the same manners, and in many respects the same institutions. Our slaveholding States are separated from the Canadas by many intervening non-slaveholding States of our Union. Although those non-slaveholding States are as much opposed to the institution as England herself, yet the Constitution of the United States lays them under obligations in regard to it, which, if duly respected, would secure the rights of the slaveholder. The absconding slave, therefore, has many chances against him, before he can reach Canada.

Texas, however, lies immediately on the border of Louisiana and Arkansas. The slave would have nothing more to do than simply to cross the Sabine or the Red river, and he would find himself a freeman. He would be very sure to profit by the opportunity. All the vigilance which the master could use, enforced even by a harsher discipline than he would be willing to exert, would avail nothing. Within a few years a large proportion of the slaves within reach of the border would seek refuge in Texas; and the remainder would be rendered valueless, by discontent and dangerous insubordination. The slaveholder ought not to submit, and would not submit to this.

It is not probable that, under such a state of public opinion as would then prevail, any effectual arrangement would be made between the Governments of the two countries to remedy the evil. The slaveholder would be compelled to rely on himself for redress. He would endeavor to reclaim his own slave by his own force. Scenes of violence and collision between the people of the two countries would be of almost daily occurrence, resentments would be kindled, and a war *de facto* would prevail. If our Government should take part in the contest, we would scarcely hope that England would withhold herself from it; and thus a war with that country, and probably involving others, would ensue. If the contest should be begun between Texas and the adjoining slaveholding States, and our Government should refuse to take part in it, the other slaveholding States would be impelled, both by their interests and their sympathies, to come to the aid of the aggrieved States. The natural and necessary effect would be, incurable alienation and resentment between the two great divisions of our country, with all their trains of deplorable consequences.

I do not see how it would be possible to avoid this result, by any measure short of the utter crushing of the Southern States.

Whatever might be our condition or our policy, if Texas, by her own free act, should liberate her slaves, we have every reason to object to the agency of England in that measure.

I have already remarked, that England would not be content with that measure alone. Her commerce is her great support, and therefore it is the principal object of her policy to form advantageous commercial treaties. There can be little doubt that she would demand, and obtain, the admission of her manufactures into Texan markets upon terms so favorable as to forbid all competition. Thus these markets would be lost to the American manufacturer. But this would not be the worst evil. The fabrics of England would be sent to that country, with the express view of having them smuggled into the United States. The process would be the easiest in the world, and such as it would be absolutely impossible for this Government

to prevent. In a short time, our Southwestern States, and indeed the whole valley of the Mississippi, would be filled with English goods, smuggled across the border, and occupying the place of an equal number, now furnished by the American manufacturer. Thus the home market, also, would to a great extent be lost to American skill and industry. In the mean time, importations would cease, at least to the amount of all the excess of the smuggled articles over the usual supply furnished by the American manufacturer. The revenue would suffer to the full amount of the duties upon *all* the smuggled articles, and our navigating interest would suffer in proportion.

That the designs of England are such as I have supposed, there is, I fear, very little reason to doubt. Her statesmen have uniformly claimed for her a right to interpose in the politics of the Americas, so as to preserve what she is pleased to call "the balance of power" among their several States. She claims to have a commercial ascendancy in the Gulf of Mexico, and professes to feel her honor as well as her interest committed to maintain it. This we learn from her Parliamentary debates, and the declarations of her public leading men, from 1830 down to this time. Why, then, should we doubt her present purposes, since, independent of all other proofs, the measure now proposed is, best of all, calculated to sustain these high and long-cherished pretensions? We should well deserve the fate her policy is preparing for us, if we should disregard the admonitions which we have received from past events, and which we are daily receiving from daily occurrences, and quietly looking on, and, unresisting, witness the consummation of her designs.

It is not to be supposed, that if domestic slavery should be abolished in the United States and Texas, it could long be maintained in Cuba. England has a strong motive to destroy the competition of slave labor in that island as in any other part of the world; and she is not free from the suspicion of having already attempted it. Spain, in her distracted condition, would scarcely be able to hold out against the pressure of England and the example of the United States. In that state of things, the value of the island as a colony would be very little to Spain. England is her creditor, and she has never shown herself backward in enforcing all her claims in that character. With these advantages, the transfer of Cuba to her would not be at all surprising, nor in any manner out of the usual course of English policy. She would thus hold the key of the Gulf of Mexico, and would effectually control its trade, even if she should fail to engross it.

But it is not to be supposed that the abolition of slavery in the United States would be submitted to. That institution exists in twelve of our States, and in the Territory of Florida. It has existed in some of them from an early date after they were established as colonies; and in all of them since their State Governments were formed. It is now so interwoven with the institutions of those States—with their legislation, their habits, their feelings, and their social character—that the abolition of it would be, in effect, a revolution. In fact, it could not be accomplished by any means short of revolution, and the total overthrow of all the present political systems of the slaveholding States. It is idle to debate it as a question of philanthropy or of policy. Whether for good or for evil, the institution is fixed upon us; and we cannot shake it off, nor permit it to be disturbed by a foreign Power, without introducing a train of worse evils, the end of which no human sagacity can foresee. We must be infatuated, indeed, if we can

quietly submit to any policy of a foreign nation designed or calculated to bring it into danger.

These are the solemn issues involved in the *present* policy of England. So far as we may be allowed to anticipate effects from the character of their causes, I can perceive no reason to think that the picture I have presented is too highly colored. It is enough for us, however, that a leading and fundamental institution, interwoven with the interests of nearly one-half of the States of our Union, is threatened by the policy of a foreign Power. It is not a small matter to break up or invade a relation so ancient, so firmly established, and so extended and various in its influences upon all relations of society. A wise statesman would not rashly hazard such an experiment. We may well distrust our own judgments, when we undertake to calculate the results of a measure so unusual, so various and extended in all its bearings; and if we are either wise or prudent, we shall pause long before we throw ourselves upon its untried consequences.

A. P. UPSHUR.

EDWARD EVERETT, Esq., &c.

Mr. Upshur to Mr. Van Zandt.

DEPARTMENT OF STATE,
Washington, October 16, 1843.

SIR: The subject of the annexation of Texas to the United States, by treaty, has engaged the serious attention of this Government, as well as of a large portion of our people. Recent occurrences in Europe, which have doubtless attracted your notice, have imparted to the subject a fresh interest, and presented it in new and important aspects. I cannot, as you will readily see, offer any positive assurance that the measure would be acceptable to all branches of this Government, but I have no difficulty of assuring you of the desire which is felt to present it, in the strongest manner, to the consideration of Congress. A treaty of annexation is considered the most proper form; and, unless the views of the Administration shall undergo a very great and unexpected change, I shall be prepared to make a proposition to that effect whenever you shall be prepared with proper powers to meet it. If you agree in this view, I respectfully suggest that no time ought to be lost, as it is highly desirable that the treaty should be presented to the Senate at as early a period as possible.

I avail myself of this occasion, sir, to offer you renewed assurances of my great consideration.

A. P. UPSHUR.

HON. ISAAC VAN ZANDT, &c.

Mr. Van Zandt to Mr. Upshur.

LEGATION OF TEXAS,
Washington, October 19, 1843.

The undersigned, chargé d'affaires of the Republic of Texas, has the honor to acknowledge the receipt of the note of Mr. Upshur, Secretary of

State of the United States, of the 16th instant, in which the undersigned is informed that the subject of the annexation of Texas to the United States, by treaty, has engaged the serious attention of the Government of the latter; and that, unless the views of the Administration shall undergo a very great and unexpected change, Mr. Upshur will be prepared to make a proposition to that effect, whenever the undersigned shall be prepared with proper powers to meet it. The undersigned has the honor to acquaint Mr. Upshur, in reply, that a copy of the communication above referred to has been despatched by a special messenger to the Government of Texas, for its consideration and determination, and that so soon as an answer shall be received the undersigned will immediately communicate the same to Mr. Upshur.

The undersigned with pleasure avails himself of this occasion to offer to Mr. Upshur renewed assurances of his distinguished consideration.

ISAAC VAN ZANDT.

HON. A. P. UPSHUR.

Mr. Everett to Mr. Upshur.

No. 62.]

LONDON, *November 3, 1843.*

SIR: I have already acknowledged the receipt of your communications on the subject of the abolition of slavery in Texas. You suggest to me the expediency of communicating freely with the Texan chargé d'affaires, as one mode of gaining information as to the measures which may be in progress towards the end alluded to. The relations of entire friendship which have ever subsisted between this gentleman and myself, and which had their origin in the letters of introduction which he brought me from President Houston, fully warranted me in applying to him directly on the subject. He had just left London for Paris, where he is also accredited. I lost no time in addressing him a private letter, requesting information as to the state of the negotiations, to which I have, as yet, received no reply. I shall not fail, without delay, to transmit you whatever information he may communicate to me.

I had an interview with Lord Aberdeen the first day of his return to town, having requested it while he was yet in the country. I had several matters to bring to his notice, as you will have seen from the preceding despatches forwarded by this steamer. Having disposed of them, I then, in obedience to your instructions, alluded to the agency which the British Government were supposed to be exercising to procure the abolition of slavery in Texas. Lord Aberdeen said he was glad I had mentioned this subject, for it was one on which he intended himself to make some observations. His attention had been called to some suggestions in the American papers in favor of the annexation of Texas to the Union, by way of counteracting the designs imputed to England; and he would say, that if this measure were undertaken on any such grounds, it would be wholly without provocation. England had acknowledged the independence of Texas, and had treated and would continue to treat her as an independent Power. That England had long been pledged to encourage the abolition of the slave trade and of slavery, as far as her influence extended, and in every proper way, but had no wish to interfere in the internal concerns of foreign Governments. She gave her advice, where she thought it would

be acceptable, in favor of the abolition of slavery, but nothing more. In reference to Texas, the suggestion that England had made or intended to make the abolition of slavery the condition of any treaty arrangement with her was wholly without foundation. It had never been alluded to in that connexion. General Hamilton, as commissioner from Texas, had proposed that England should make or guaranty a loan to Texas, to be used to aid her in obtaining from Mexico the recognition of her independence, and in other ways to promote the development of her resources ; and he himself (Lord Aberdeen) had at first thought somewhat favorably of the proposition, considering Texas as a fine, promising country, which it would be good policy to help through her temporary embarrassments. But on mentioning the project to his colleagues, they deemed it wholly inexpedient, nor did he himself continue to give it countenance ; nor was the loan, as proposed by General Hamilton, and at first favorably viewed by himself, in the slightest degree connected with the abolition of slavery as a condition or consequence. In the course of the last summer he had been waited upon, as he supposed I was aware at the time, by a deputation of American abolitionists, who were desirous of engaging the British Government in some such measure, (viz : of a loan, connected with the abolition of slavery,) but that he had given them no countenance whatever ; he had informed them that, by every proper means of influence, he would encourage the abolition of slavery, and that he had recommended the Mexican Government to interest itself in the matter ; but he told them, at the outset, that he should consider himself bound in good faith to repeat every thing that might pass between them to the Texan chargé d'affaires.

I told Lord Aberdeen that the conversation between himself and Lord Brougham in the House of Lords, on the 18th day of August, had been read with a great deal of sensibility in the United States ; and, recapitulating the substance of that conversation, as quoted in your despatch, I observed that it was capable of being interpreted as a declaration on his part that Her Majesty's Government were engaged in negotiations with Mexico for the abolition of slavery in Texas, not so much for the sake of effecting that object in Texas as in the United States. Lord Aberdeen said that Lord Brougham, in avowing his entire satisfaction with his (Lord Aberdeen's) explanation, could only have referred to the matter which was the direct object of inquiry, viz : the negotiations with Mexico for the recognition of the independence of Texas, and the earnest hope that the abolition of slavery might be effected by such an arrangement ; that too much importance must not be attached to the statements of this kind in debate, which are not always reported with entire accuracy ; that it was most true that he was on that, as on all other occasions, desirous to be understood as wishing the abolition of slavery wherever it exists ; that this was a sentiment in reference to which England was of one mind ; and whenever occasion called him to speak on the subject, he must express it ; but that I might be perfectly satisfied that England had nothing in view in reference to Texas, which ought in the slightest degree to cause uneasiness in the United States.

Such is the substance of Lord Aberdeen's remarks on the subject. Aware of the great importance which would be attached to them, I took them down in writing, as soon as I returned home, and sent the memorandum to Lord Aberdeen, requesting him, if it were inaccurate, to correct

it. This he did in some not material points; and the foregoing report of the conversation may therefore be regarded as entirely authentic.

In returning my memorandum of the conversation, with his corrections, Lord Aberdeen recapitulated, in order to the perfect understanding of the case, that there had been no communication on the part of England, with Texas, in reference to the abolition of slavery, and that no proposition whatever had been made to her by England on that subject; the loan proposed by General Hamilton, on behalf of the Government of Texas, had no connexion with abolition; the proposal of a loan to promote that object last summer was the suggestion of a deputation of private individuals, and was at once rejected by him.

Although England has made no proposition to Texas, and has no intention of making abolition the subject of any treaty stipulation with her, they had certainly recommended to Mexico to promote the abolition of slavery by the acknowledgment of the independence of Texas. But Lord Aberdeen added, that he could not say that this recommendation had been listened to with any degree of favor, and nothing further was said on the subject. In all this there was no reference whatever to the United States.

The late hour at which my memorandum above alluded to was returned to me leaves me barely time to prepare this despatch before the closing of the mail. Should any thing further of interest reach me on this subject, I shall not neglect to communicate it without delay.

I am, sir, most respectfully, your obedient servant,

EDWARD EVERETT.

A. P. UPSHUR, Esq.,
Secretary of State.

Mr. Everett to Mr. Upshur.—[EXTRACT.]

No. 64.]

LONDON, November 16, 1843.

SIR: In my despatch No. 62 I acquainted you that I had addressed a private letter to Mr. Ashbel Smith, the Texan chargé d'affaires, now at Paris, requesting of him such information as he might be able and willing to give me as to the measures supposed to be in progress, on the part of this Government, to promote the abolition of slavery in Texas. I received a private letter from Mr. Smith, in reply, on the 6th instant. My letter to Mr. Smith and his answer were written under the impression that overtures on this subject might possibly have been made directly to the Texan Government. Such, however, you will have learned by my despatch No. 62, is not the case—Lord Aberdeen having distinctly stated to me that he had not submitted, and did not intend to submit, any proposition to Texas on the subject.

Mr. Smith informs me that he was present at the interview which took place last June between Lord Aberdeen and several persons, British subjects and others, a committee of the general anti-slavery convention, who waited upon him for the purpose of engaging the co-operation of the British Government to effect the abolition of slavery in Texas. On this occasion, Lord Aberdeen assured the committee that Her Majesty's Government would employ all legitimate means in their power to attain so great and desirable an object. One of the members of the committee afterwards informed

Mr. Smith, at his lodgings, that, in their interview with Lord Aberdeen, his lordship made observations which warranted them in saying that the British Government would guaranty, if necessary, the interest of a loan which should be raised and applied to the abolition of slavery in Texas, but not of a Texan loan for any other purpose whatever. It appears, however, from the statements contained in my despatch No. 62, that the member of the committee who gave this information to Mr. Smith was in an error—Lord Aberdeen having assured me that the suggestion relative to a loan for this purpose had not received the slightest countenance from him. My written memorandum of the conversation, in which this assurance was made, having been submitted to Lord Aberdeen, there can be no room for misapprehension on my part. Lord Aberdeen has since repeated the same statement to me.

Mr. Smith, in consequence of the circumstances above stated, asked an interview with Lord Aberdeen, and subsequently addressed a written communication to him on the subject. Mr. Smith very properly doubts whether he ought to furnish me a copy of this correspondence before it has been made public by the Texan Government. Appreciating, however, the motives which prompted my inquiry, and considering the subject as one of interest to the United States as well as to Texas, though possibly in a less degree, Mr. Smith informs me that he shall transmit to the Texan consul at London copies of his note to Lord Aberdeen on the abolition of slavery in Texas, and of Lord Aberdeen's reply, with a request to that gentleman to submit the same, if I desire it, to my perusal. Mr. Rate, the Texan consul, accordingly called upon me for this purpose. The reply of Lord Aberdeen to Mr. Smith states that Mr. Smith does the British Government no more than justice in forbearing to impute to them any design to interfere with the internal concerns of Texas in reference to slavery; but adds, that it is not a matter of surprise to Lord Aberdeen that individuals having that object in view should have recourse to any measure which they deem calculated to promote it.

Mr. Smith acquaints me, further, that he has written full accounts to his Government of the interview above alluded to with Lord Aberdeen, and of such other facts relating to the efforts making in England for the abolition of slavery in Texas, as, on diligent and scrupulous inquiry, he could ascertain. He adds, that he shall transmit by the next steamer copies of these accounts to Mr. Van Zandt, the Texan chargé d'affaires at Washington, who will make such use of them as, in his discretion, he shall judge best. I have no doubt that Mr. Van Zandt will feel himself authorized to make you fully acquainted, for the President's information, with the purport of these communications.

I had a long interview with Lord Aberdeen, at his request, on the 6th instant, principally in reference to the Oregon question, as you will have seen from another communication by this steamer. Before I left him, however, the conversation turned upon the subject of the abolition of slavery in Texas. I told him he must not be surprised at the interest taken in the subject in the United States, when he remembered that Texas and the United States were border countries, and the necessary effect of the abolition in Texas on slavery as existing in the Union. He replied, that he felt the delicacy and importance of the subject, repeated the allusion made in the former interview to the state of public sentiment in England, and said that, while it could not be expected of Her Majesty's Government

to hold a language or pursue a policy at variance with opinions which they shared with the whole country, yet he should certainly think it right not to give any just cause of complaint to the United States. As far as Texas was directly concerned, they had, as he had already informed me, made no proposition to her whatever. They had connected the subject of the abolition of slavery in Texas with a recommendation to Mexico to acknowledge her independence; but, as he told me before, Mexico had given the suggestion no encouragement, and it rested there.

I ought perhaps to have added, that in his note to Lord Aberdeen, Mr. Smith spoke of the committee which waited upon him in June, as persons acting without the authority, sanction, or approbation of the Texan Government.

A. P. UPSHUR, Esq.,
Secretary of State.

Mr. Upshur to Mr. Thompson.—[EXTRACT.]

DEPARTMENT OF STATE,
Washington, November 18, 1843.

* * * * *

Your attention has already been called to the movements of England in relation to domestic slavery in Texas, and to the bearing which her proceedings may have upon that institution in the United States, and incidentally upon other leading interests of our country. Information recently received from General Murphy, chargé d'affaires in Texas, has increased the solicitude of the President upon that point. There is very little doubt that England is exerting herself to cause Mexico to acknowledge the sovereignty of Texas, upon terms which will give to Texas a separate Legislature and a *quasi* independence. The effect of this will be to abrogate the present Constitution of Texas, and consequently to abolish domestic slavery there. It is also to be borne in mind, that if the sovereignty of Mexico be acknowledged, she will assert the right to dispose of the territory as she pleases. I have no sufficient reason to suppose that England desires to acquire it; but the subject, in all its bearings, is of deep interest to the United States. I ask, therefore, your particular attention to it, and that you give me prompt information of every movement connected with it. I also repeat the suggestion, that you communicate as fully and freely as possible with Mr. Murphy.

Mr. Upshur to Mr. Murphy.—[EXTRACTS.]

DEPARTMENT OF STATE,
Washington, November 21, 1843.

* * * * *

I think it may be assumed that Texas will not, under any possible condition of things, agree to go back under the dominion of Mexico. Even if Mexico should conquer the *soil*, she can never conquer the *people*—at

least, not that portion of them who emigrated from the United States. They would sooner return to the United States penniless than remain subject to Mexican vengeance and tyranny.

I assure you, sir, of the very great satisfaction felt, both by the President and myself, at the zeal and industry which you have displayed in the general duties of your mission, and particularly in reference to the relations of Texas with England. It is impossible to be too watchful or too diligent in a matter which involves such momentous consequences, not only to our country, but to the whole civilized world. The view which this Government takes of it excludes every idea of mere sectional interest. We regard it as involving the security of the South, and the strength and prosperity of every part of the Union. Sincerely believing that the annexation of Texas to the United States will strengthen the bonds of union among ourselves; give encouragement and sustenance to our navigating, commercial, and manufacturing interests; present a foundation for harmony with foreign countries, and afford us great security against their aggressions in case of war; we anxiously desire it, as a great blessing to every part of our country. We cannot anticipate any objection on the part of Texas. She can desire nothing better than a common destiny with the United States.

* * * * *

Whether this important measure can be effected or not is as yet doubtful. In the mean time, you will take all necessary measures to ascertain the views of the Texan Government and people in regard to it. In connexion with that object, you will watch narrowly the proceedings of the commissioners appointed to treat with Mexico. That the influence of England will be strenuously exerted and seriously felt in the proceedings of that commission cannot be doubted. To that influence we have great reason to look with uneasiness and apprehension. I would impress upon you, therefore, the necessity not only of great vigilance on your part, but also of the most prompt communication to this department of all the information which you may be able to obtain. Your own suggestions of what it may be expedient for this Government to do are not, as you seem to apprehend, out of place; on the contrary, I shall be glad to receive them, and to act upon them, so far as the public interest may require.

Mr. Upshur to Mr. Murphy.

No. 14.]

DEPARTMENT OF STATE,

Washington, January 16, 1844.

SIR: Your despatches by Mr. Abell are received. You are probably not aware that a proposition has been made to the Texan Government for the annexation of that country to the United States. This, I learn from the Texan chargé, has been for the present declined.

I am not disappointed at this intelligence. No doubt can be entertained of the wishes of the *people* of Texas, in regard to the annexation of that country to the United States. I have the most unequivocal proofs, in a variety of forms, that they are almost unanimous in favor of that measure. That the Government, at least in the Executive branch of it, should entertain different views, may be very reasonably attributed to a misconception

of the real position of the question, so far as this Government is concerned. Texas has, for some time past, been in a condition to need the aid and protection of some stronger Power. She ought not to have doubted that the sympathies of this country were altogether with her; but the want of power in the Government has prevented it from doing any thing effectual in her favor. She has been forced, therefore, by a sort of necessity, to look to other quarters for that aid which hitherto she has failed to receive from us. Hence, she has listened the more readily to the overtures of England, and is probably, at this time, in some degree committed to that Government. If this be so, it is not surprising that her Government should hesitate, in the present state of its information, to make any further movement towards the annexation of that country to the United States. If it were *certain*, or even strongly probable, that the measure could be carried in our Congress, I cannot doubt that it would gladly be acceded to by the Government of Texas. But so long as the success of that measure is very doubtful, in the opinion of that Government, it is quite natural that they should be disinclined to hazard the friendship of other Powers, and particularly of England, by an appeal to the United States, which might not be successful.

I have little doubt that these are the views of the Texan Government. I have for some months past anticipated that they would be so, but I have not until very recently felt authorized to give such assurances as I can now give, calculated to influence the policy of Texas, upon this point. With a view to enable you to do this, it is proper to put you in possession of the following facts.

The failure of the proposition heretofore made by Texas for admission into our Union should not be allowed to influence her present course. At that time the question was not understood in this country. It had not been canvassed, even by leading politicians, much less by the people at large; and the consequences dependent upon it were not then developed as they now are. If the proposition could have been placed at that time in the light in which it is now seen, there would have been no hesitation upon the subject. Indeed, it was then regarded rather as a question of *time* than any thing else; for I am well assured that a majority of the people of this country have always considered the annexation of Texas to their territory as an event that *must* happen, sooner or later. At all events, no other question can grow out of the failure of the first proposition than one of mere etiquette, or national self-respect. I have anticipated and provided for this. Supposing that Texas might feel some reluctance to renew a proposition which had been once rejected, I have invited her, through her chargé at Washington, to enter into negotiations upon the subject. A copy of my note is enclosed.

It is possible that the Government, and perhaps the people of Texas, may feel that they have sustained some wrong from the United States, in the matters of Colonel Snively's command and of certain proceedings touching one of their custom-houses on the Red river. This Government has not forgotten those subjects, nor has it been insensible to their importance. A decision in regard to them has been delayed from necessity, but every thing which could be done has been done to assure the Government of Texas that this Government never meditated nor authorized any wrong of any kind to the dignity of Texas, or the rights of her people, and that

every injury which may, upon proper investigation, appear to have been done by our people will be fully and perfectly repaired.

I have reason to suppose that the silence of the President of the United States in his annual message, on the subject of annexation, has created an impression in Texas, either that he is indifferent to that measure, or that he despairs of its success. Such an impression does him great injustice. The subject was not alluded to in the message, because it was thought best not to submit the question, except in all its aspects and bearings; and for that reason the President reserved it until he could present the actual treaty of annexation. That was undoubtedly the proper course, and the course best calculated to effect the object so ardently desired by him, and by a very decided majority of our people.

It is already well known in Texas that the President has used every means in his power to mitigate the horrors of the war waged by Mexico against that country. In his last message he uses the most emphatic language on that subject. He declares that it is time that the war had ceased, and thus, in effect, announces his own purpose to put an end to it by any means which he can constitutionally command. He has *no* means, except such as he derives from the treaty-making power. These he now offers to exert, and has thus given to Texas a pledge of his friendly interest, which it is impossible for her to doubt. This conduct on the part of this Government is far more worthy of confidence than any *professions*, however vehemently preferred.

I put you in possession of these facts, in order that you may be able to offer the proper explanations, if the subjects should arise in the course of your conversations with President Houston. I wish you to see that functionary without loss of time, and to urge upon him the absolute necessity of annexation, with reference to the interests (and possibly to the safety) of both countries.

As it is of great importance that the messenger who bears this despatch should leave the United States immediately, I have not time to discuss the subject in all its important bearings. My views are, in fact, disclosed in a despatch addressed to Mr. Everett, at London, of which a copy is enclosed. To these may be added the following considerations:

What motive can England have for a disinterested friendship towards Texas? Friendship between nations is never disinterested, but in this case even the common feeling of national kindness cannot be presumed to exist. The policy of England is purely commercial. Her object is to engross the commerce of the world: by diplomacy, if she can; and by force, if she must. On this subject, she will expect, and ultimately compel, concessions from Texas, which Texas, once surrendered to her influence and protection, will not have the power to refuse. The consequence will be, to disgust and irritate other nations, and particularly the United States. We are even now the great rivals of England in commerce and manufactures. It is a favorite object with her to cripple us in both these branches of our industry, and for that reason she is pushing her influence in every commercial mart of the world. For a few years, Texas might be benefited by this, because it would throw into her ports an immense amount of English manufactures, designed not merely for the supply of Texas, but also for that of the United States, by means of smuggling across the Red river and the Sabine. The effect of this upon the interests of the United States is pointed out in the despatch to Mr. Everett, now enclosed.

A still worse effect would be produced by irritating our people against a country that afforded to our great commercial and manufacturing rival the means of annoying and injuring us so seriously. In self-defence, we should take measures to redress this wrong. The commerce of the Red river, so important to Texas, is within our control. We have it in our power to do more injury to the commerce, and, incidentally, to the agriculture, of Texas, in time of peace, than all the other countries of the world combined; and, for the same reason, we can benefit her in equal degree. It is not to be supposed that we shall feel any hesitation on this subject, if Texas shall reject our overtures, and throw herself into the arms of England. Instead of being, as we ought to be, the closest friends, it is inevitable that we shall become the bitterest foes. In this feeling, all parts of our country will participate. The North, which is the most influential in the policy of our Government, will entertain it more strongly than the South, because their great and leading interest, particularly in New England, must fall a sacrifice to this hostile policy on the part of Texas.

But this is not all. If Texas should refuse to come into our Union, measures will instantly be taken to fill her territory with emigrants from Europe. Extensive arrangements for this are already made, and they will be carried into effect as soon as the decision of Texas shall be known. These emigrants will bring with them European feelings and European opinions. Emigration from the United States will cease; at all events, the people of the Southern States will not run the hazard of subjecting their slave property to the control of a population who are anxious to abolish slavery. Texas will soon cease to be an American State. Her population, her politics, and her manners, will stamp her as European. This fact alone will destroy the sympathy which now exists between that country and this.

But the first measure of the new emigrants, as soon as they shall have sufficient strength, will be to destroy that great domestic institution upon which so much of the prosperity of our Southern country depends. To this, England will stimulate them, and she will also furnish the means of accomplishing it. I have commented upon this topic in the despatch to Mr. Everett. I will only add, that if Texas should not be attached to the United States, she cannot maintain that institution ten years, and probably not half that time.

You will readily perceive that, with such causes as these at work, a long continuance of peace between that country and the United States is absolutely impossible. War is inevitable. England will be a party to it from necessity, if not from choice; and the other great Powers of the world will not be idle spectators of a contest involving such momentous results. I think it almost certain that the peace of the civilized world, the stability of long-established institutions, and the destinies of millions both in Europe and America, hang on the decision which Texas shall now pronounce. What has she to hope in this conflict of stronger Powers? She will find herself between the upper and the nether millstones, ground to powder in their revolutions.

It seems to me that a wise people cannot long hesitate between the alternatives now presented to Texas. On the one hand, she may have a quasi alliance with the strongest Power in the world, on whose protection she must make herself dependent. The history of all such alliances between strong and weak nations, is enough to admonish her of the fate which awaits her. The lamb can make no contract with the wolf, which

will protect him from being devoured. On the other hand, a nation now scarcely second to any in the world, rapidly advancing in population, in wealth, and in the arts, and daily developing all the sources of national power—a nation that adjoins her in territory, and whose power she can scarcely hope to resist, if it shall become her enemy—offers to receive her as a part of its own domain, and to admit her people to a full participation in its government and a full share in its promising destinies. As a part of the United States, Texas would be beyond all contingencies; but as an independent nation, she can have no better reliance than the precarious protection of a Power not bound to her by any sympathies, acting only with a view to its own interest, and ready to desert her whenever that interest shall require it.

Surely, if the Government of Texas could believe that there is even a reasonable prospect of the annexation of that country to the United States, it would not hesitate to authorize the trial. On this point, I cannot of course speak with absolute certainty; but I feel a degree of confidence in regard to it, which is little short of absolute certainty. The more the subject is discussed among our statesmen, the more clearly does it appear that the interest of both countries absolutely requires that they should be united. When the measure was first suggested, although the entire South was in favor of it, as they still are, it found few friends among the statesmen of the other States. Now, the North, to a great extent, are not only favorable to, but anxious for it, and every day increases the popularity of the measure among those who originally opposed it. Measures have been taken to ascertain the opinions and views of Senators upon the subject, and *it is found that a clear constitutional majority of two-thirds are in favor of the measure.* This I learn from sources which do not leave the matter doubtful; and I have reason to know that President Houston himself has received the same information from sources which will command his respect. There is not, in my opinion, the slightest doubt of the ratification of a treaty of annexation, should Texas agree to make one.

I am very anxious, sir, to impress you with the importance of this measure, as strongly as it is felt by myself. I feel a deep and solemn conviction that it involves, to a fearful extent, the destinies both of Texas and of our own country. For this reason, I would have you urge upon President Houston the necessity of taking his measures decisively and promptly. Press upon him the high considerations of common interest and common safety, which require the union of the two countries under the same Government. A great responsibility rests upon him; and for the sake of his country, as well as our own, and for the sake of the harmony of the world, remotely if not immediately connected with his decision, I hope that he will not reject the offer we make, in the hope of any contingent and precarious advantage to be derived from a different source.

The pending negotiation with Mexico ought not to present any difficulty, unless Texas is prepared to go back again under the dominion of that Power. As it is certain that she will not consent to this, under any possible circumstances, the result of that negotiation cannot affect unfavorably the proposition of annexation to this country. If Mexico should acknowledge the independence of Texas, then Texas will have an undisputed right to dispose of herself as she pleases; and if Mexico shall refuse that acknowledgment, Texas will the more need the protection which the United States now offers. She can require nothing more, in this last event, than that the

United States shall take upon themselves the adjustment of her difficulties with Mexico.

You may, if you think proper, show this letter to President Houston. He will, I trust, see in it satisfactory reasons for my extreme anxiety upon the subject—reasons which affect Texas quite as seriously as the United States. A concert between the two Governments upon this important point would do more for the happiness of mankind than has been effected by any political movement within the last half century.

I particularly request that you will lose no time in pressing this matter upon the attention of President Houston. It is also necessary that you should keep me regularly and promptly informed of all that may occur in relation to it. This is the more indispensable, because the friends of the measure in Congress are impatient to move in it, and are with difficulty restrained, in expectation that the object will be effected by negotiation.

I am, sir, your obedient servant,

A. P. UPSHUR.

W. S. MURPHY, Esq., &c.

Mr. Pakenham to Mr. Upshur.

WASHINGTON, February 26, 1844.

SIR: In compliance with your request to that effect, I have the honor herewith to transmit to you a copy of the despatch from Her Majesty's Principal Secretary of State for Foreign Affairs, which I had the honor to read to you on Saturday last.

I have the honor to be, with high consideration, your obedient servant,
R. PAKENHAM.

HON. A. P. UPSHUR, &c.

No. 9.]

FOREIGN OFFICE, December 26, 1843.

SIR: As much agitation appears to have prevailed of late in the United States relative to the designs which Great Britain is supposed to entertain with regard to the Republic of Texas, Her Majesty's Government deem it expedient to take measures for stopping at once the misrepresentations which have been circulated, and the errors into which the Government of the United States seems to have fallen on the subject of the policy of Great Britain with respect to Texas. That policy is clear and simple, and may be stated in a few words.

Great Britain has recognised the independence of Texas, and, having done so, she is desirous of seeing that independence finally and formally established, and generally recognised, especially by Mexico. But this desire does not arise from any motive of ambition or of self-interest, beyond that interest, at least, which attaches to the general extension of our commercial dealings with other countries.

We are convinced that the recognition of Texas by Mexico must conduce to the benefit of both these countries, and, as we take an interest in the well-being of both, and in their steady advance in power and wealth, we have put ourselves forward in pressing the Government of Mexico to acknowledge Texas as independent. But in thus acting we have no occult

design, either with reference to any peculiar influence which we might seek to establish in Mexico or in Texas, or even with reference to the slavery which now exists, and which we desire to see abolished in Texas.

With regard to the latter point, it must be and is well known both to the United States and to the whole world, that Great Britain desires, and is constantly exerting herself to procure, the general abolition of slavery throughout the world. But the means which she has adopted, and will continue to adopt, for this humane and virtuous purpose, are open and undisguised. She will do nothing secretly or underhand. She desires that her motives may be generally understood, and her acts seen by all.

With regard to Texas, we avow that we wish to see slavery abolished there, as elsewhere, and we should rejoice if the recognition of that country by the Mexican Government should be accompanied by an engagement on the part of Texas to abolish slavery eventually, and under proper conditions, throughout the Republic. But although we earnestly desire and feel it to be our duty to promote such a consummation, we shall not interfere unduly, or with an improper assumption of authority, with either party, in order to ensure the adoption of such a course. We shall counsel, but we shall not seek to compel, or unduly control, either party. So far as Great Britain is concerned, provided other States act with equal forbearance, those Governments will be fully at liberty to make their own unfettered arrangements with each other, both in regard to the abolition of slavery and to all other points.

Great Britain, moreover, does not desire to establish in Texas, whether partially dependent on Mexico, or entirely independent, (which latter alternative we consider in every respect preferable,) any dominant influence. She only desires to share her influence equally with all other nations. Her objects are purely commercial, and she has no thought or intention of seeking to act, directly or indirectly, in a political sense, on the United States through Texas.

The British Government, as the United States well know, have never sought in any way to stir up disaffection or excitement of any kind in the slaveholding States of the American Union. Much as we should wish to see those States placed on the firm and solid footing which we conscientiously believe is to be attained by general freedom alone, we have never in our treatment of them made any difference between the slaveholding and the free States of the Union. All are, in our eyes, entitled, as component members of the Union, to equal political respect, favor, and forbearance, on our part. To that wise and just policy we shall continue to adhere; and the Governments of the slaveholding States may be assured, that, although we shall not desist from those open and honest efforts which we have constantly made for procuring the abolition of slavery throughout the world, we shall neither openly nor secretly resort to any measures which can tend to disturb their internal tranquillity, or thereby to affect the prosperity of the American Union.

You will communicate this despatch to the United States Secretary of State, and, if he should desire it, you will leave a copy of it with him.

I am, &c.

ABERDEEN.

Right Hon. RICHARD PAKENHAM, &c.

Mr. Calhoun to Mr. Pakenham.

DEPARTMENT OF STATE,

Washington, April 18, 1844.

The undersigned, Secretary of State of the United States, has laid before the President the note of the right honorable Mr. Pakenham, envoy extraordinary and minister plenipotentiary of Her Britannic Majesty, addressed to this department on the 26th of February last, together with the accompanying copy of a despatch of Her Majesty's Principal Secretary of State for Foreign Affairs to Mr. Pakenham. In reply, the undersigned is directed by the President to inform the right honorable Mr. Pakenham, that while he regards with pleasure the disavowal of Lord Aberdeen of any intention on the part of Her Majesty's Government "to resort to any measures, either openly or secretly, which can tend to disturb the internal tranquillity of the slaveholding States, and thereby affect the tranquillity of this Union," he at the same time regards with deep concern the avowal, for the first time made to this Government, "that Great Britain desires and is constantly exerting herself to procure the general abolition of slavery throughout the world."

So long as Great Britain confined her policy to the abolition of slavery in her own possessions and colonies, no other country had a right to complain. It belonged to her exclusively to determine, according to her own views of policy, whether it should be done or not. But when she goes beyond, and avows it as her settled policy, and the object of her constant exertions, to abolish it throughout the world, she makes it the duty of all other countries, whose safety or prosperity may be endangered by her policy, to adopt such measures as they may deem necessary for their protection.

It is with still deeper concern the President regards the avowal of Lord Aberdeen of the desire of Great Britain to see slavery abolished in Texas; and, as he infers, is endeavoring, through her diplomacy, to accomplish it, by making the abolition of slavery one of the conditions on which Mexico should acknowledge her independence. It has confirmed his previous impressions as to the policy of Great Britain in reference to Texas, and made it his duty to examine with much care and solicitude what would be its effects on the prosperity and safety of the United States, should she succeed in her endeavors. The investigation has resulted in the settled conviction that it would be difficult for Texas, in her actual condition, to resist what she desires, without supposing the influence and exertions of Great Britain would be extended beyond the limits assigned by Lord Aberdeen, and that, if Texas could not resist the consummation of the object of her desire, would endanger both the safety and prosperity of the Union. Under this conviction, it is felt to be the imperious duty of the Federal Government, the common representative and protector of the States of the Union, to adopt, in self-defence, the most effectual measures to defeat it.

This is not the proper occasion to state at large the grounds of this conviction. It is sufficient to say, that the consummation of the avowed object of her wishes in reference to Texas would be followed by hostile feelings and relations between that country and the United States, which could not fail to place her under the influence and control of Great Britain. That, from the geographical position of Texas, would expose the weakest and most vulnerable portion of our frontier to inroads, and place in the power of Great Britain the most efficient means of effecting in the neighboring

States of this Union what she avows to be her desire to do in all countries where slavery exists. To hazard consequences which would be so dangerous to the prosperity and safety of this Union, without resorting to the most effective measures to prevent them, would be, on the part of the Federal Government, an abandonment of the most solemn obligation imposed by the guarantee which the States, in adopting the Constitution, entered into to protect each other against whatever might endanger their safety, whether from without or within. Acting in obedience to this obligation, on which our federal system of Government rests, the President directs me to inform you that a treaty has been concluded between the United States and Texas, for the annexation of the latter to the former as a part of its territory, which will be submitted without delay to the Senate for its approval. This step has been taken as the most effectual, if not the only means of guarding against the threatened danger, and securing their permanent peace and welfare.

It is well known that Texas has long desired to be annexed to this Union; that her people, at the time of the adoption of her Constitution, expressed, by an almost unanimous vote, her desire to that effect; and that she has never ceased to desire it as the most certain means of promoting her safety and prosperity. The United States have heretofore declined to meet her wishes, but the time has now arrived when they can no longer refuse consistently with their own security and peace, and the sacred obligation imposed by their constitutional compact for mutual defence and protection. Nor are they any way responsible for the circumstances which have imposed this obligation on them. They had no agency in bringing about the state of things which has terminated in the separation of Texas from Mexico. It was the Spanish Government and Mexico herself which invited and offered high inducements to our citizens to colonize Texas. That, from the diversity of character, habits, religion, and political opinions, necessarily led to the separation, without the interference of the United States in any manner whatever. It is true, the United States, at an early period, recognised the independence of Texas; but, in doing so, it is well known they but acted in conformity with an established principle to recognise the Government *de facto*. They had previously acted on the same principle in reference to Mexico herself, and the other Governments which have risen on the former dominions of Spain on this continent.

They are equally without responsibility for that state of things, already adverted to as the immediate cause of imposing on them, in self-defence, the obligation of adopting the measure they have. They remained passive, so long as the policy on the part of Great Britain, which has led to its adoption, had no immediate bearing on their peace and safety. While they conceded to Great Britain the right of adopting whatever policy she might deem best, in reference to the African race, within her own possessions, they on their part claim the same right for themselves. The policy she has adopted in reference to the portion of that race in her dominions may be humane and wise; but it does not follow, if it prove so with her, that it would be so in reference to the United States and other countries, whose situation differs from hers. But, whether it would be or not, it belongs to each to judge and determine for itself. With us it is a question to be decided, not by the Federal Government, but by each member of this Union for itself, according to its own views of its domestic policy, and without any right on the part of the Federal Government to interfere in

any manner whatever. Its rights and duties are limited to protecting, under the guarantees of the Constitution, each member of this Union, in whatever policy it may adopt in reference to the portion within its respective limits. A large number of the States has decided, that it is neither wise nor humane to change the relation which has existed, from their first settlement, between the two races ; while others, where the African is less numerous, have adopted the opposite policy.

It belongs not to the Government to question whether the former have decided wisely or not ; and if it did, the undersigned would not regard this as the proper occasion to discuss the subject. He does not, however, deem it irrelevant to state that, if the experience of more than half a century is to decide, it would be neither humane nor wise in them to change their policy. The census and other authentic documents show that, in all instances in which the States have changed the former relation between the two races, the condition of the African, instead of being improved, has become worse. They have been invariably sunk into vice and pauperism, accompanied by the bodily and mental inflictions incident thereto—deafness, blindness, insanity, and idiocy, to a degree without example ; while, in all other States which have retained the ancient relation between them, they have improved greatly in every respect—in number, comfort, intelligence, and morals—as the following facts, taken from such sources, will serve to illustrate :

The number of deaf and dumb, blind, idiots, and insane, of the negroes in the States that have changed the ancient relation between the races, is one out of every ninety-six ; while in the States adhering to it, it is one out of every six hundred and seventy-two—that is, seven to one in favor of the latter, as compared with the former.

The number of whites, deaf and dumb, blind, idiots, and insane, in the States that have changed the relation, is one in every five hundred and sixty-one ; being nearly six to one against the free blacks in the same States.

The number of negroes who are deaf and dumb, blind, idiots, and insane, paupers, and in prison, in the States that have changed, is one out of every six ; and in the States that have not, one out of every one hundred and fifty-four ; or twenty-two to one against the former, as compared with the latter.

Taking the two extremes of North and South—in the State of Maine, the number of negroes returned as deaf and dumb, blind, insane, and idiots, by the census of 1840, is one out of every twelve ; and in Florida, by the same returns, is one out of every eleven hundred and five ; or ninety-two to one in favor of the slaves of Florida, as compared with the free blacks of Maine.

In addition, it deserves to be remarked, that in Massachusetts, where the change in the ancient relation of the two races was first made, (now more than sixty years since,) where the greatest zeal has been exhibited in their behalf, and where their number is comparatively few, (but little more than 8,000 in a population of upwards of 730,000,) the condition of the African is amongst the most wretched. By the latest authentic accounts, there was one out of every twenty-one of the black population in jails or houses of correction ; and one out of every thirteen was either deaf and dumb, blind, idiot, insane, or in prison. On the other hand, the census and other authentic sources of information establish the fact, that the condi-

tion of the African race throughout all the States, where the ancient relation between the two has been retained, enjoys a degree of health and comfort which may well compare with that of the laboring population of any country in Christendom ; and it may be added, that in no other condition, or in any other age or country, has the negro race ever attained so high an elevation in morals, intelligence, or civilization.

If such be the wretched condition of the race in their changed relation, where their number is comparatively few, and where so much interest is manifested for their improvement, what would it be in those States where the two races are nearly equal in numbers, and where, in consequence, would necessarily spring up mutual fear, jealousy, and hatred, between them? It may, in truth, be assumed as a maxim, that two races differing so greatly, and in so many respects, cannot possibly exist together in the same country, where their numbers are nearly equal, without the one being subjected to the other. Experience has proved that the existing relation, in which the one is subjected to the other in the slaveholding States is consistent with the peace and safety of both ; with great improvement to the inferior ; while the same experience proves that the relation which it is the desire and object of Great Britain to substitute in its stead, in this and all other countries, under the plausible name of the abolition of slavery, would (if it did not destroy the inferior by conflicts, to which it would lead) reduce it to the extremes of vice and wretchedness. In this view of the subject, it may be asserted, that what is called slavery, is in reality a political institution, essential to the peace, safety, and prosperity of those States of the Union in which it exists. Without, then, controverting the wisdom and humanity of the policy of Great Britain, so far as her own possessions are concerned, it may be safely affirmed, without reference to the means by which it would be effected, that, could she succeed in accomplishing, in the United States, what she avows it to be her desire and the object of her constant exertions to effect throughout the world, so far from being wise or humane, she would involve in the greatest calamity the whole country, and especially the race which it is the avowed object of her exertions to benefit.

The undersigned avails himself of this occasion to renew to the right honorable Mr. Pakenham the assurance of his distinguished consideration.

J. C. CALHOUN.

Rt. Hon. RICHARD PAKENHAM, &c.

Mr. Calhoun to Mr. Green.

No. 1.]

DEPARTMENT OF STATE,

Washington, April 19, 1844.

SIR: A treaty for the annexation of Texas to the United States has been signed by the plenipotentiaries of the two Governments, and will be sent by the President to the Senate, without delay, for its approval.

In making the fact known to the Mexican Government, the President enjoins it on you to give it, in the first place, the strongest assurance that, in adopting this measure, our Government is actuated by no feelings of disrespect or indifference to the honor or dignity of Mexico, and that it would be a subject of great regret if it should be otherwise regarded by its

Government. And, in the next place, that the step was forced on the Government of the United States, in self-defence, in consequence of the policy adopted by Great Britain in reference to the abolition of slavery in Texas. It was impossible for the United States to witness with indifference the efforts of Great Britain to abolish slavery there. They could not but see that she had the means in her power, in the actual condition of Texas, to accomplish the objects of her policy, unless prevented by the most efficient measures; and that, if accomplished, it would lead to a state of things dangerous in the extreme to the adjacent States, and the Union itself. Seeing this, this Government has been compelled, by the necessity of the case, and a regard to its constitutional obligations, to take the step it has, as the only certain and effectual means of preventing it. It has taken it in full view of all possible consequences, but not without a desire and hope that a full and fair disclosure of the causes which induced it to do so would prevent the disturbance of the harmony subsisting between the two countries, which the United States is anxious to preserve.

In order that the Mexican Government should have a just and full conception of the motives which have compelled this Government to take the course it has, I enclose, by the direction of the President, a copy of the declaration of Lord Aberdeen, which Mr. Pakenham, the British minister, was instructed to read to the Secretary of State of the United States, and to leave a copy, should he desire it; and the answer to it on the part of our Government. The President authorizes you to read them to the Mexican Secretary of State, and to permit him to take memoranda of their contents as you read, should he desire it; but not to leave copies, as they constitute a part of the documents which will be transmitted with the treaty to the Senate.

You are enjoined also, by the President, to assure the Mexican Government that it is his desire to settle all questions between the two countries which may grow out of this treaty, or any other cause, on the most liberal and satisfactory terms, including that of boundary. And with that view the minister who has been recently appointed will be shortly sent with adequate powers.

You will finally assure the Government of Mexico that the Government of the United States would have been happy, if circumstances had permitted it, to act in concurrence with that of Mexico in taking the step it has; but with all its respect for Mexico, and anxious desire that the two countries should continue on friendly terms, it could not make what it believed might involve the safety of the Union itself depend on the contingency of obtaining the previous consent of Mexico. But while it could not with a due regard to the safety of the Union do that, it has taken every precaution to make the terms of the treaty as little objectionable to Mexico as possible; and, among others, has left the boundary of Texas without specification, so that what the line of boundary should be might be an open question, to be fairly and fully discussed and settled according to the rights of each, and the mutual interests and security of the two countries.

I have the honor to be, sir, your obedient servant.

BENJAMIN E. GREEN, Esq., &c.