

was the subject of remark that, while war was threatened, the Mexican government did not reassert a claim to Texas.¹

Shannon contented himself by replying that the United States, having tendered the olive branch to Mexico by assurances that annexation had been adopted in no unfriendly spirit, and being desirous of adjusting all questions, including that of boundary, on the most just and liberal terms, had done all that was possible. It now remained for Mexico to determine whether friendly relations should be preserved or not. For himself, he would await the arrival of official information from his government before taking any further steps.²

Official information, of a kind not very pleasant to Shannon, was in fact on its way. The American Secretary of State, two days before Shannon's last note to Cuevas, had written disapproving his course in regard to the Rejón correspondence of the previous October. The President, it was stated, was desirous of adjusting all questions in dispute between the two republics, for he did "not believe that any point of honor can exist between the United States and Mexico which ought to prevent him from pursuing a friendly policy toward that republic"; and under these circumstances it was apparent that some other person than Shannon would do better service. He was therefore recalled.³ At the same time William S. Parrott was sent as a secret agent to Mexico, with instructions to try to convince the Mexican authorities that it was the true interest of their country to restore friendly relations; that the United States was prepared to meet Mexico in a liberal and friendly spirit in regard to all unsettled questions; and that a minister would be sent to Mexico as soon as assurances were given that he would be kindly received.⁴ Parrott sailed from New York on the third day of April in the same ship with Almonte and his family,⁵ and how he fared in his mission of peace will be seen in a later chapter.

¹ J. H. Smith's *Annexation of Texas*, 422.

² Shannon to Cuevas, March 31, 1845; *State Dept. MSS.*

³ Buchanan to Shannon, March 29, 1845; *ibid.*

⁴ Buchanan to W. S. Parrott, March 28, 1845; Moore's *Buchanan*, VI, 132.

⁵ Parrott to Buchanan, April 2, 1845; *State Dept. MSS.*

CHAPTER XXVII

TEXAS ENTERS THE UNION

ANSON JONES, the new President of Texas, was a native of the town of Great Barrington, in Massachusetts. He had been educated at the academy in the pleasant village of Lenox, and had left the Berkshire Hills to attempt mercantile pursuits. He had subsequently studied medicine in Philadelphia, graduating from the Jefferson Medical College in 1827. Six years later he landed at Brazoria, where he practised medicine. He was a surgeon in Houston's little army, and participated in the battle of San Jacinto, and from that time on was pretty constantly in public life under the republic of Texas. He was Texan minister to the United States under Lamar, and was Secretary of State through the whole of Houston's second administration. At the regular election in September, 1844, he was chosen President by a good majority, having the support of Houston and his friends. A sagacious, cool-headed man, of very moderate abilities, his temper was in rather striking contrast with that of Houston. Chiefly, perhaps, for this reason, he conceived in later years a great hostility to Houston, which he gratified by the publication of letters and memoranda filled with bitterness against his former colleague. But it seems clear that, in 1845 at least, Houston professed none but friendly and even cordial feelings for the new President.

"Houston," says Ashbel Smith, "stood a giant of power in the land—he stood by President Jones and on his strong arm Mr. Jones visibly leaned for support. President Jones's administration was in all its leading policy a continuation of the preceding administration of President Houston."¹

¹ Smith, *Reminiscences of the Texas Republic*, 69.

Jones had not been four months in office when the great responsibility of deciding the future of Texas—the choice between annexation, on the one hand, and independence and peace with Mexico, on the other—was laid upon him and the people of Texas. If, as he wished it to be understood, he had really so shaped his foreign policy as to secure simultaneous offers from rival suitors, he could not have managed better; but it may well be doubted whether he was capable of playing so deep a game, and whether he was not in reality being carried helplessly along upon confused currents which he had no power to control, and against which he could not swim.

Calhoun's instructions to the American chargé in Texas, directing him to submit the offer of annexation, reached Donelson late in March in New Orleans, where he had gone on leave of absence. He at once returned to his post, but he did not reach the Texan seat of government until the thirtieth of March, 1845. On his way he met the English and French representatives, who were returning to Galveston. He thought that they had not manifested much satisfaction at the result of their visit.¹ As a matter of fact, however, they had every cause for satisfaction, for they had just succeeded in concluding a most important arrangement with the President and the Secretary of State of Texas.

Elliot and Saligny had gone to the seat of government together in consequence of instructions from their respective governments, the origin of which was not without interest. It seems that William R. King, of Alabama, then American minister in Paris, had written home a rather effusive account of his reception by the French sovereign, and had quoted him as saying that France would take no steps which were in the slightest degree hostile, or which would give the United States the slightest cause of complaint. Calhoun chose to consider the remark as an assurance that France would not be a party to any attempt to induce Texas to withdraw her proposal for annexation, and upon

¹ Donelson to Buchanan, April 1, 1845; Sen. Doc. 1, 29 Cong., 1 sess., 47.

that text he wrote a long denunciation of British policy and an enthusiastic eulogy of the system of negro slavery.¹

This document, upon which Calhoun evidently took great pains, was very injudiciously published as an annex to the President's message of December, 1844, and, reaching London about Christmas, produced most unchristian feelings in Lord Aberdeen's usually placid mind. He at once wrote to ask from the French government a clear explanation, and he received assurances in reply that France was disposed to second the views of England, and to act in accord with her in everything relative to Texas. Not content, as Aberdeen told the Mexican minister, with mere assurances and protests, he requested Guizot to make proof of his intentions by taking part in some act that would confirm his words, and he suggested a joint communication to Texas in favor of independence, thus destroying the impression which had been created by Calhoun's note.²

The formal protocol of the conference of March 30, 1845, between the Secretary of State of Texas and the representatives of England and France, accordingly stated that the *chargés d'affaires* of their Majesties the King of the French and the Queen of Great Britain had communicated instructions of their respective governments, dated the seventeenth and twenty-third of January, 1845, respectively, inviting the government of Texas to accept the good offices of France and England "for an early and honorable settlement of their difficulties with Mexico, upon the basis of the acknowledgment of the independence of Texas by that Republic"; that the Secretary of State had expressed the President's willingness to accept the intervention of the two powers; that "in view of the much more advanced condition of circumstances connected with the affairs of Texas" the President thought it urgently necessary that he should be enabled, as speedily as possible, to present to the people, for their consideration and action, decisive proofs that Mexico was ready at once to acknowledge the independence of the re-

¹ Calhoun to King, Aug. 12, 1844; Sen. Doc. 1, 28 Cong., 2 sess., 39 *et seq.*

² Tomás Murphy to Min. Rel., Jan. 18, 1845; *Sec. de Rel. Ext. MSS.*

public, "without other condition than a stipulation to maintain the same"; and that the government of Texas therefore proposed certain preliminary conditions to be submitted to Mexico, agreeing that if these were accepted a proclamation should be issued announcing the conclusion of the preliminaries of peace, and that Texas, for a period of ninety days from the date of the memorandum, would not "accept any proposal, nor enter into any negotiations to annex itself to any other country." It was further stated that if the people of Texas should decide upon pursuing the policy of annexation, in preference to the proposed arrangement with Mexico, then the government of Texas would so notify France and England, and be at liberty to consummate the national will.¹

Annexed to the protocol was a memorandum setting forth as follows the terms proposed by Texas as a basis for negotiations:

- "1. Mexico consents to acknowledge the independence of Texas.
- "2. Texas engages that she will stipulate in the Treaty not to annex herself or become subject to any country whatever.
- "3. Limits and other conditions to be matter of arrangement in the final Treaty.
- "4. Texas will be willing to remit disputed points respecting territory and other matters to the arbitration of umpires."

On the heels of this agreement came the information that Mexico had expressed a willingness to treat.

"More good news!" Elliot wrote from Galveston on the third of April. "I have this day received despatches from Mr. Bankhead of the 20th ult., and a private letter of the 22nd ult., by her Majesty's ship 'Eurydice,' commanded by my cousin, Capt. Charles George Elliot. These tidings announce the cordial adhesion of the new Government to the favorable dispositions expressed by Gen. Santa Anna, communicated to you in our late instructions; and M. Alleye de Cyprie [Cyprey], the French Minister, has written in the same sense to de Saligny."²

Two days later Elliot was on his way to Mexico. He gave out at Galveston that he was going to Charleston,

¹ Jones, 473-475.

² Elliot to Jones; *ibid.*, 441.

South Carolina, in H. M. S. *Electra*, and in the *Electra* he sailed; but out of sight of land he changed to the *Eurydice*, and arrived at Vera Cruz on the evening of the eleventh of April. The two Elliot cousins at once went in company to the city of Mexico, where the Texan proposals were laid before the ministers, by whom they were approved.¹

On April 21, 1845, Cuevas laid the proposals before Congress. He began with the customary assurance (which could deceive nobody) that a considerable body of troops had been collected on the Texan frontier, and that they were ready to begin operations. But, he continued, circumstances had recently occurred which made it not only proper, but necessary, that negotiations should be undertaken to forestall the annexation of Texas by the United States, an event which would make war with the American republic inevitable.

"Texas has just proposed an arrangement and his Excellency, the President *ad interim*, who, though strongly impressed with its importance and the urgency of adopting a definite resolution upon the subject, is persuaded that the Executive can do nothing in the matter without previous authorization of Congress. . . . He believes that in the present condition of the affairs of Texas he ought not to refuse the negotiation to which he has been invited, and that he should not vary from the obligation which he is under not to decide so delicate a point before it has been previously examined in the Legislative Body. . . . The preliminary propositions which Texas has submitted, present an agreement honorable and favorable to the Republic; and the government, without committing itself to anything, has not hesitated to accept them as a mere proposal for the formal agreement which is solicited. To refuse to treat upon the subject would be to decide the annexation of Texas to the United States, and Congress will at once notice that so ill-advised a step would constitute a terrible accusation against the present administration. To refuse to listen to proposals of peace that may lead to a satisfactory conclusion, and thus to bring about a result which is even less desirable for the republic, might be the more pleasing course for a justly irritated patriotism; but it would not be that which the nation has a right to

¹ Everett reported that Elliot's going in person to Mexico was not in pursuance of instructions from the Foreign Office, and that Lord Aberdeen said that he was writing to Elliot disapproving his conduct in that respect.—(Everett to Buchanan, July 4, 1845; *State Dept. MSS.*)

expect from the Supreme Government—bound to foresee, to weigh and to avoid, the evils of a long and costly war, and not to subject itself to that calamity unless, in a crisis so grave as the present, honor can in no other manner be saved. In view of the foregoing, the President *ad interim*, by unanimous agreement of the council of ministers, directs me to submit the following resolution: 'The government is authorized to consider the propositions which have been made to it on the subject of Texas, and to proceed to make such agreement or to sign such treaty as he shall consider proper and honorable for the republic, rendering an account to Congress for its examination and approval.'"¹

Writing from Mexico on the same day, April 21, Elliot informed President Jones that the first great difficulty was that the Mexican government had felt itself compelled to ask for the authority of Congress, inasmuch as the alienation of a part of the national territory was involved. That hard step had been taken, and the French and English ministers were of opinion that the government would never have risked an appeal to Congress unless they had felt sure of success. The French and English ministers had had a very difficult and delicate task, which had only been accomplished "by their hearty co-operation, and the exercise of great firmness, tempered by the utmost discretion and conciliatoriness of language."²

The Mexican Congress, however, was by no means in a hurry to act, and a refusal to approve the government proposals would have been supported by a section of the Mexican press. The four daily papers then published at the capital supported generally the Herrera government, but two semiweekly papers, *El Amigo del Pueblo* and *La Voz del Pueblo*, were in violent opposition. The country newspapers in general did nothing but repeat or comment upon the editorials and articles of the newspapers of the metropolis.

The chief ground of criticism had been the weak conduct of the government in dealing with the question of Texas; so that the news that the government was actually proposing to treat for the recognition of Texan independence was the signal for a general outbreak of the opposition papers.

¹ *México á través de los Siglos*, IV, 539.

² Jones, 452.

"Extermination and death will be the cry of the valiant regulars and the citizen soldiery, marching enthusiastically to conquer Texas" was the key-note of a series of articles published in *La Voz del Pueblo*; and "death and extermination," in varying phrases, was the burden of the chorus throughout the country. "Such appeals as these were admirably calculated to excite the public they addressed, for they touched the springs of patriotism, pride, suspicion, jealousy, and conscious weakness."¹ In the face of this opposition, and of opposition in Congress, the Mexican ministry faltered, and it is probable that but for constant pressure from the British and French representatives the cabinet would have resigned, and the project of direct negotiation with Texas would have been given up. On the other hand, the government newspapers, and especially the *Diario* and the *Siglo XIX*, supported the project, to which seems to have been added the support of Almonte, who had by this time arrived from Washington.²

After three days of heated discussion the Chamber of Deputies, by a vote of 41 to 13, adopted the resolution proposed by the government. The Senate committee, to which the matter was referred, concurred, after a good deal of delay, in recommending its passage, and it was finally carried in the Senate by a vote of 30 to 6. Being signed by the President, it became a law on May 17, 1845.³ Two days later Cuevas signed and delivered to the English and French ministers a paper in which he recited the receipt of the four preliminary propositions of Texas and the authority granted by Congress to hear the Texan propositions and declared—

"that the Supreme Government receives the four articles above mentioned as the preliminaries of a formal and definitive treaty; and further, that it is disposed to commence the negotiation as Texas may desire, and to receive the Commissioners which she may name for this purpose."

At the same time Cuevas added an additional declaration, to the effect that besides the four preliminary articles pro-

¹ J. H. Smith's *Annexation of Texas*, 426

² *Ibid.*, 430.

³ Dublan y Lozano, V, 17.

posed by Texas there were other essential and important points which ought also to be included in the negotiation; and that if for any reason the negotiation failed, then the answer given accepting the four articles proposed by Texas as the preliminaries of a treaty was to be considered null and void. Armed with this document and a letter from the French minister in Mexico addressed to the President of Texas, Elliot started back and reached Galveston on the thirtieth of May, 1845.¹

The moment Captain Elliot placed in the hands of President Jones the papers showing the action of the Mexican government, Jones issued a proclamation to the people of Texas, in which he recited the efforts he had made to secure an unconditional, peaceful, honorable, and advantageous settlement of their difficulties with Mexico. He announced that he had placed in the hands of the representatives of the British and French governments a statement of conditions preliminary to a treaty of peace, which he had agreed to submit to the people of Texas for their decision and action; that the Congress of Mexico had authorized their government to open negotiations and conclude a treaty with Texas; and he therefore made known these circumstances to the citizens of the republic, and declared and proclaimed a cessation of hostilities by land and sea.²

Thanks to the procrastination of the Mexican Senate this proclamation came too late. Whatever might have been its effect if it had been before the people a fortnight earlier, it could now produce none, for it was issued on the fourth of June, and on that same day the people of Texas voted for delegates to a national convention.

It is very likely that President Jones and many of the high officials in Texas would have preferred independence to annexation. To be at the head of an independent republic with an army and a navy and a diplomatic establishment of

¹ For a detailed account of the negotiations leading to the Mexican declaration of a willingness to treat with Texas, reference may be made to J. H. Smith's *Annexation of Texas*, chap. XIX.

² Proclamation of June 4, 1845; Sen. Doc. 1, 29 Cong., 1 sess., 81.

its own, must have seemed much more tempting to ambition than to manage the local affairs of a not very influential Southwestern state of the American Union. Jones himself was always cautious in his correspondence and conversation, but Elliot at any rate assumed that he himself and the President were of one mind in their hostility to the proposals of the United States. Writing from Galveston just as he was about to start for another visit to the United States, he offered his advice to the President.

"I feel," he said, "that my continued presence in this country, under present circumstances, is rather hurtful than helpful. But if this crazy fit should pass away without overturning the nationality of the country, and with it the true and lasting interests of the people, Texas may depend upon the fast friendship and assistance of Her Majesty's Government. . . . Preserve the country, my dear sir, if you can, and with firmness, moderation, and prudence, (which you really possess in an eminent degree, most happily for these beguiled and bewildered people, more to be pitied than blamed), I have not lost all confidence that you will yet save them from what would be little short of their ruin."¹

The American representatives in Texas also considered that Jones was very indifferent to annexation, or even hostile. Indeed, it was reported that he had had to be coerced into favorable action on the original project of a treaty of annexation.² And Terrell, an intimate friend of Jones's, who had succeeded Ashbel Smith as minister to England, openly avowed his opposition.³

As for Houston, he was never long of one mind, and as he was constantly agitated by nightmare fears of an invasion of Texas he could not be satisfied by evidence that nothing had occurred, or was likely to occur, to disturb the peace, or to lead to hostilities with Mexico.⁴ "He showed considerable passion" in a conversation during the summer of 1844, which lasted several hours, and he expressed great

¹ Elliot to Jones, June 13, 1845; Jones, 470.

² Murphy to Upshur, Feb. 22, 1844; *State Dept. MSS.*

³ Donelson to Calhoun, Nov. 23, 1844; *ibid.*

⁴ Murphy to Tyler, April 8, 1844; *ibid.*

dissatisfaction that stronger guarantees of protection had not been exacted from the United States.¹

The American government, however, realizing Houston's undeniable influence with the people of Texas, had constantly used all possible efforts to propitiate him. Howard, who was sent as chargé to Texas in the early summer of 1844, had been, as Houston himself said, "his particular friend" in early days in Tennessee; and Donelson, who succeeded Howard, was Jackson's nephew and private secretary. Jackson's name indeed carried the greatest weight with Houston, and Jackson was induced to write repeatedly, urging upon Houston the importance of annexation. Donelson, in a long and interesting conversation, told Houston that Jackson looked on the annexation of Texas as the great question of the day, and that he was anxious his old friend should show that he appreciated the great results which were to follow. Houston was represented as being unreserved and cordial, and determined to adhere to the cause of annexation so long as there was any hope of carrying it through. "I remained with the President," said Donelson, "nearly all night, there being nothing but a door to separate our apartments which are open log cabins."²

In the spring of 1845, after Houston had left the presidency, it was rumored that he might oppose the joint resolution. "His opposition," reported Donelson, "cannot defeat the measure if he does. Texas will be in a blaze of excitement, but it will be one in which American will triumph over foreign influence." Nevertheless, Donelson thought it expedient to go on a journey to visit Houston, and to attempt to gain him over. Houston was averse to the terms proposed in the joint resolution; he thought that the President of the United States should have resorted to negotiation; he objected to leaving the boundary question open. "I left him," reported Donelson, "under a full conviction that if the adoption of our proposals depended upon his vote it would be lost." But a few days later Houston's

¹ Howard to Calhoun, Aug. 7, 1844; *ibid.*

² Donelson to Calhoun, Nov. 24, 1844; *ibid.*

views had changed again. On reflection he thought Texas had better come into the United States on the terms offered her, rather than run the hazard of obtaining better by a new negotiation.¹

After all, the decision of the question of annexation rested not with President Jones and his cabinet, nor with ex-President Houston, but with the people of Texas, and there was never much real doubt as to their earnest and all but unanimous desire for annexation. Donelson on his first arrival in Texas, at the end of 1844, had reported that the people were all in favor of annexation, but that speedy action was necessary. A month later he wrote that the delay in carrying through annexation had not changed public opinion, and that the measure would be ratified in Texas with great unanimity.² In the spring of 1845 the feeling was still stronger. Ashbel Smith, writing confidentially to President Jones from Galveston, reported that he had generally avoided conversation on this subject.

"I find however," he said, "everywhere very great, *very intense* feeling on this subject; I quieted it as much as possible by stating that you would at no very distant period present this matter to the consideration and action of the people. I am forced to believe that an immense majority of the citizens are in favor of annexation—that is of annexation as presented in the resolutions of the American Congress—and that they will continue to be so, in preference to independence, though recognized in the most liberal manner by Mexico. This last opinion is, however, I know more doubtful. But I cannot be mistaken in the belief that the tranquillity at present arises from a confidence in your favorable dispositions toward annexation. . . . On looking over what I have written I find that I have understated rather than overstated the feeling on this subject."³

It was probably after receiving the foregoing letter that Jones took occasion to say to the American representative that while he was of the same opinion as General Houston, in his belief that the United States should have offered Texas

¹ Donelson to Calhoun, April 1, 1845; Donelson to Buchanan, April 12, 1845; Donelson to Buchanan, May 6, 1845; *ibid.*

² Donelson to Calhoun, Nov. 23 and Dec. 17, 1844; *ibid.*

³ Smith to Jones, April 9, 1845; Jones, 446.

more liberal terms, he would interpose no obstacle to their submission to Congress and the people; and Donelson thought that, though Jones had been represented as hostile to annexation, and as favoring the English and French projects, in reality he was not desirous of injuring the United States, but was simply faithful to his public duties as President, and anxious to secure the independence of Texas on the most favorable terms.¹

A few days later Donelson wrote privately to Calhoun that it was now a certainty that the measure of annexation would be consummated. There was some impression that Jones was "hostile to it, yet he never for a moment in any interview with me intimated a wish to interpose an obstacle to the judgment of the people." Houston, Donelson continued, had done all he could against the American proposals, but the people of Texas were holding public meetings and expressing their approbation "with a unanimity which no other debated question has ever received."² Again on May 6 Donelson wrote that he considered the question settled so far as Texas was concerned.³ And to the same effect Wickliffe, of Kentucky, who was an unofficial American agent in Texas, wrote to Buchanan that the people of Texas regarded annexation as settled, and did not talk about it any more. The all-engrossing subject was the new state Constitution.⁴

The joint resolution for the annexation of Texas had rather clumsily provided that the territory rightfully belonging to the republic of Texas might be erected into a new state "with a Republican form of government, to be adopted by the people of said Republic, by Deputies in Convention

¹ Donelson to Buchanan, April 12, 1845; Sen. Doc. 1, 29 Cong., 1 sess., 52.

² Donelson to Calhoun, April 24, 1845; *Amer. Hist. Assn. Rep.* 1899, II, 1029-1032.

³ Donelson to Buchanan, May 6, 1845; Sen. Doc. 1, 29 Cong., 1 sess., 56.

⁴ Wickliffe to Buchanan, May 6, 1845; extract in Curtis's *Buchanan*, I, 588. Wickliffe's instructions are printed in Moore's *Buchanan*, VI, 130. Ashbel Smith accused Wickliffe of inducing members of the Texan Congress to vote for annexation by lavish promises of river and harbor appropriations, as well as promises of office. Working in connection with him were ex-Governor Yell, of Arkansas, and Commodore Stockton, of the U. S. Navy.—(Smith, *Reminiscences of the Texas Republic*, 76.)

assembled, with the consent of the existing government in order that the same may be admitted as one of the States of this Union." The functions of the proposed convention seemed, under this phraseology, to be limited to adopting a state constitution; and on the other hand it was a matter of some doubt whether the Texan Congress could be said to have any power to decree the end of the republic. Jones, therefore, hesitated as to the proper course to be pursued, but he ultimately decided to summon the Congress in special session (which was done by a proclamation issued April 15), and in addition, to summon a convention of the people (which was done by another proclamation dated May 5).

Once these matters were arranged Donelson had little to do. The State Department in Washington wrote to him that it was important to press for immediate action, but Donelson wrote back that he considered that question settled. He thought there might be some increase of the opposition when the project of independence was brought forward by Mexico, "but the opposition will be powerless compared with the mass of those who, proud of their kindred connection with the United States, are willing to share a common destiny under the banner of the stars and stripes." From this opinion Donelson never wavered, and he congratulated Buchanan "that this great question is advancing to its consummation with so much calmness and certainty, and with so much patriotic joy in the hearts of the brave and gallant Texans."¹

In his message at the opening of the special session of Congress on June 16, President Jones very fairly laid before that body, for such action as it might deem suitable, the propositions which had been made on the part of the United States and of Mexico respectively, together with the correspondence between the several governments relating to these proposals. "The state of public opinion and the great anxiety of the people to act definitely upon the subject of annexation" had, he said, induced him to issue his procla-

¹ Buchanan to Donelson, April 28, 1845; Donelson to Buchanan, May 6, 1845; Sen. Doc. 1, 29 Cong., 1 sess., 40, 56.

mation recommending the election of deputies to a convention which, it was expected, would assemble on the fourth of July, the time fixed in the proclamation.

"To this Convention the question of annexation and the adoption of a State constitution will properly belong, they will determine the great question of the nationality of Texas as to them shall seem most conducive to the interest, happiness and prosperity of the people whom they will represent. It is important 'that the consent of the existing government' should be given to their exercising the powers which have been delegated to them, in order to comply with a requirement to that effect and the resolutions on the subject of annexation, passed by the American Congress. For this purpose, the present session of the Congress of the republic of Texas has been convoked."

The President then went on to say that he had the pleasure, in addition to presenting to Congress the American proposal concerning annexation, to inform them that certain conditions preliminary to a treaty of peace upon a basis of the recognition of the independence of Texas had been signed by the Mexican government on May 19, and had been transmitted through the French and British legations. These conditions would be laid before the Senate for their advice and consent. The President had made known to the people of Texas the fact of the Mexican willingness to treat, and at the same time he had proclaimed a cessation of hostilities. Texas, therefore, was now at peace with all the world; the alternatives of annexation or of independence were placed before the people; and their free, sovereign, and unbiased voice was to determine the all-important issue.

All-important this issue undoubtedly was, but it took Congress a very little while to make up its mind. On June 21 a joint resolution was adopted, formally consenting to the terms of the joint resolution of the American Congress, and approving the proclamation of the President for the election of deputies to a convention for the adoption of a constitution for the state of Texas. The vote was unanimous. In the Texan Senate the vote upon the preliminary treaty with Mexico was also unanimous in rejecting it.

The proceedings in the convention which assembled at Washington on the Brazos on the fourth of July were even more brief. A single day was consumed in the organization of the convention and the adoption of a resolution accepting annexation. There was no debate upon the subject, and, the vote being taken, it was fifty-five in favor and one against the ordinance. The single negative vote was cast by Richard Bache, of Galveston, a great-grandson of Benjamin Franklin; but Bache united with his colleagues in signing the ordinance, which was thus the unanimous act of the convention.

Mexico during all this while made no hostile move, and the Texan convention continued to sit peaceably, debating the terms of a state constitution, which was ultimately adopted by unanimous vote on August 28, 1845. This instrument followed the general form of constitutions throughout the United States. There was to be a governor and a bi-cameral legislature, to be chosen by a vote of free male citizens—excluding Indians not taxed, Africans, and descendants of Africans. There was to be a supreme court, district courts, and such inferior courts as the legislature might from time to time appoint. The judges of the supreme and district courts were to be appointed by the governor, by and with the advice and consent of two-thirds of the senate, and were to hold office for six years. The legislature was to have no power to pass laws for the emancipation of slaves without the consent of their owners, nor without payment of a full equivalent in money for slaves so emancipated; nor should the legislature have power to prohibit immigrants from bringing in their slaves, although it might pass laws against the importation of slaves "as merchandise only." The Constitution was to be submitted to the vote of the people on the second Monday of October, 1845, and at the same time a vote of the people was to be taken for and against annexation. If a majority of all the votes given was in favor of the Constitution, the President of Texas was to make proclamation of that fact, and notify the President of the United States. He was also to issue a