

ARTICLE XXX.

The said consuls shall have power to require the assistance of the authorities of the country, for the arrest, detention, and custody of deserters from the public and private vessels of their country; and for that purpose, they shall address themselves to the courts, judges, and officers competent, and shall demand the said deserters in writing, proving, by an exhibition of the register of the vessels, or ship's roll, or other public documents, that the man or men demanded were part of said crews; and on this demand so proved, (saving always where the contrary is proved,) the delivery shall not be refused. Such deserters, when arrested, shall be placed at the disposal of the said consuls, and may be put in the public prisons at the request and expense of those who reclaim them, to be sent to the vessels to which they belonged, or to others of the same nation. But, if they be not sent back within two months, to be counted from the day of their arrest, they shall be set at liberty, and shall not be again arrested for the same cause.

ARTICLE XXXI.

For the purpose of more effectually protecting their commerce and navigation, the two contracting parties do hereby agree, as soon hereafter as circumstances will permit, to form a consular convention, which shall declare specially the powers and immunities of the consuls and vice-consuls of the respective parties.

ARTICLE XXXII.

For the purpose of regulating the interior commerce between the frontier territories of both Republics, it is agreed that the Executive of each shall have power, by mutual agreement, of determining on the route and establishing the roads by which such commerce shall be conducted; and in all cases where the caravans employed in such commerce may require convoy and protection by military escort, the Supreme Executive of each nation, shall, by mutual agreement, in like manner, fix on the period of departure for such caravans, and the point at which the military escort of the two nations shall be exchanged. And it is further agreed, that, until the regulations for governing this interior commerce between the two nations shall be established, that the commercial intercourse between the State of Missouri of the United States of America, and New Mexico in the United Mexican States, shall be conducted as heretofore, each Government affording the necessary protection to the citizens of the other.

ARTICLE XXXIII.

It is likewise agreed that the two contracting parties shall, by all the means in their power, maintain peace and harmony among the several Indian nations who inhabit the lands adjacent to the lines and rivers which form the boundaries of the two countries; and the better to attain this object, both parties bind themselves expressly to restrain, by force, all hostilities and incursions on the part of the Indian nations living within their respective boundaries, so that the United States of America will not suffer their Indians to attack the citizens of the United Mexican States, nor the Indians inhabiting their territory; nor will the United Mexican States permit the Indians residing within their territories to commit hostilities against the citizens of the United States of America, nor against the Indians residing within the limits of the United States in any manner whatever.

And in the event of any person or persons, captured by the Indians who inhabit the territory of either of the contracting parties, being or having been carried into the territories of the other, both Governments engage and bind themselves in the most solemn manner to return them to their country as soon as they know of their being within their respective territories, or to deliver them up to the agent or representative of the Government that claims them, giving to each other, reciprocally, timely notice, and the claimant paying the expenses incurred in the transmission and maintenance of such person or persons, who, in the mean time, shall be treated with the utmost hospitality by the local authorities of the place where they may be. Nor shall it be lawful, under any pretext whatever, for the citizens of either of the contracting parties to purchase or hold captive prisoners made by the Indians inhabiting the territories of the other.

ARTICLE XXXIV.

The United States of America and the United Mexican States, desiring to make as durable as circumstances will permit, the relations which are to be established between the two parties by virtue of this treaty or general convention of amity, commerce and navigation, have declared solemnly, and do agree to the following points:

First. The present treaty shall remain and be of force for eight years from the day of the exchange of the ratifications, & until the end of one year after either of the contracting parties shall have given notice to the other of its intention to terminate the same; each of the contracting parties reserving to it self the right of giving such notice to the other at the end of said term of eight years. And it is hereby agreed between them, that, on the expiration

of one year after such notice shall have been received by either of the parties from the other party, this treaty, in all its parts, relating to commerce and navigation, shall altogether cease and determine, and in all those parts which relate to peace and friendship, it shall be permanently and perpetually binding on both the contracting parties.

Secondly. If any one or more of the citizens of either party shall infringe any of the articles of this treaty, such citizens shall be held personally responsible for the same; and the harmony and good correspondence between the two nations shall not be interrupted thereby; each party engaging, in no way to protect the offender, or sanction such violation.

Thirdly. If (what indeed cannot be expected) any of the articles contained in the present treaty shall be violated or infracted in any manner whatever, it is stipulated that neither of the contracting parties will order or authorize any acts of reprisal, nor declare war against the other, on complaints of injuries or damages, until the said party considering itself offended, shall first have presented to the other a statement of such injuries or damages, verified by competent proofs, and demanded justice and satisfaction, and the same shall have been either refused or unreasonably delayed.

Fourthly. Nothing in this treaty contained, shall however be construed to operate contrary to former and existing public treaties with other Sovereigns or States.

The present treaty of amity commerce, and navigation, shall be approved and ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the Vice-President of the United Mexican States, with the consent and approbation of the Congress thereof; and the ratifications shall be exchanged in the city of Washington within the term of one year, to be counted from the date of the signature hereof; or sooner, if possible.

In witness whereof, We, the Plenipotentiaries of the United States of America and of the United Mexican States, have signed and sealed these presents. Done in the city of Mexico, on the fifth day of April, in the year of our Lord one thousand eight hundred and thirty one, in the fifty fifth year of the independence of the United States of America, and in the eleventh of that of the United Mexican States.

A. BUTLER, [L. S.]
LUCAS ALAMAN, [L. S.]
RAFAEL MANGINO, [L. S.]

ADDITIONAL ARTICLE.

Whereas, in the present state of the Mexican shipping, it would not be possible for Mexico to receive the full advantage of the reciprocity established in the fifth and sixth articles of the treaty signed this day, it is agreed that for the term of six years, the stipulations contained in the said articles shall be suspended; and in lieu thereof, it is hereby agreed, that, until the expiration of the said term of six years, American vessels entering into the ports of Mexico, and all articles, the produce, growth, or manufacture of the United States of America, imported in such vessels, shall pay no other or higher duties than are or may hereafter be payable in the said ports by the vessels and the like articles, the growth produce, or manufacture of the most favored nation; and, reciprocally, it is agreed that Mexican vessels entering into the ports of the United States of America, and all articles, the growth, produce, or manufacture of the United Mexican States, imported in such vessels, shall pay no other or higher duties than are or may hereafter be payable in the said ports by the vessels and the like articles, the growth produce, or manufacture of the most favored nation; and that no higher duties shall be paid, or bounties or drawbacks allowed, on the exportation of any article, the growth, produce, or manufacture of either country, in the vessels of the other, than upon the exportation of the like articles in the vessels of any other foreign country.

The present additional article shall have the same force and value as if it had been inserted, word for word in the treaty signed this day. It shall be ratified, and the ratifications exchanged at the same time.

In witness whereof, We, the respective Plenipotentiaries, have signed and sealed the same.

Done at Mexico, on the fifth day of April, one thousand eight hundred and thirty-one.

A. BUTLER, [L. S.]
LUCAS ALAMAN, [L. S.]
RAFAEL MANGINO, [L. S.]

And whereas, the said Treaty has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Washington on the fifth day of April, one thousand eight hundred and thirty-two, by EDWARD LIVINGSTON, Secretary of State of the United States of America, and Jose MONTOYA, Charge d'Affaires of the Mexican United States, on the part of their respective Governments:

Now, THEREFORE, BE IT KNOWN, That I, ANDREW JACKSON, President of the United States of America, have caused the said treaty to be made public to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith, by the United States and the citizens thereof.

In WITNESS WHEREOF, I have hereunto set my hand, and caused the Seal of the United States to be affixed.

Done at the City of Washington, this fifth day of April, in the year of our

[L. S.] Lord one thousand eight hundred and thirty-two, and of the Independence of the United States the fifty sixth.

ANDREW JACKSON.

By the President:
EDW: LIVINGSTON,
Secretary of State.

CONGRESSIONAL ANALYSIS.

[From the *Globe*.]

APRIL 25. In the *Senate*, yesterday, Mr. WHITE, from the Committee on Indian Affairs, reported the bill, re-committed to that Committee, extending the benefit of vaccination to certain Indian tribes, with an amendment, increasing the appropriation for the objects of the bill from \$6,000 to \$12,000—which was agreed to, and the bill, as amended, was ordered to a third reading. The general appropriation bill was taken up, and the motion to reconsider the vote by which the amendment increasing the appropriation for the expenses of the Judiciary of the United States from \$190,000 to \$250,000 was rejected, was agreed to, and after a long debate, the amendment was rejected by a vote of 18 to 26. Several amendments were then adopted, and the bill, as amended, was ordered to be engrossed for a third reading.—The Apportionment Bill was taken up and read a second time.

HOUSE OF REPRESENTATIVES.

TRIAL OF GEN. HOUSTON.

Mr. Robert Murray, Jr., testified to the habits of *Luther Blake* and the manner in which he left this city. Captain *Hawkins* testified as to the habits, &c. of *Luther Blake*, and his explanation of the cause of his hostility to Gov. *Houston*. Dr. *Davis*, of South Carolina, gave evidence in relation to a reconciliation which *Blake* recently sought through him, with General *Houston*, and also in regard to other occurrences between *Blake* and the deponent. In the course of his examination, Dr. *Davis* was asked by Mr. *Cooke*, of Ohio, how long he had been in Washington, and what was his business here? Messrs. *Whittlesey* and *McDuffie*, objected to this question as improper, and suggested its being withdrawn. Dr. *Davis* “hoped it would not be withdrawn, as he could easily satisfy the gentleman on that point or any other.” Mr. *Cooke* then struck out that portion of the interrogatory which is in italic. When Dr. *Davis* had finished his testimony, & left the stand, Mr. *Stanberry* rose, for the purpose, he said, of calling the attention of the House to another breach of privilege. He had overheard the witness who had left the stand, as he passed out of the Hall, make a remark to a member of the House, which evidently implied an intention to make an assault upon his colleague, (Mr. *Cooke*) who would probably be the next victim. Upon this announcement, some conversation took place, in which Messrs. *Bates*, of Massachusetts, and *Wickliffe* participated, when the SPEAKER said there was no proposition before the House on the Subject. Mr. *Asquith* was examined relative to remarks made by *Blake* respecting the accused, after which Mr. *Key* said he did not consider it necessary to call any more witnesses at present. Mr. *Whittlesey* requested that R. S. *Coxe* be called, who testified to his acquaintance with *Blake*, and his deportment when he had seen him. A. D. *Hall* was then called, who stated the circumstances under which *Blake's* affidavit had been sworn to. An interrogatory was then put to Mr. *Stanberry* by Mr. *Whittlesey*—when it was answered, Mr. *Coulter* said the Committee had not taken upon themselves to enquire after evidence. The House had reserved to itself the right of determining whether other witnesses should be called. So far as regarded the duties of the Committee under the rules, their functions were closed. Mr. *Stanberry* said if the House wished to go into the examination of the contemplated fraud, he was of opinion that it could be proved. Mr. *Poll* said he was assured the friends of the parties who had been charged in this matter were entirely willing to meet any investigation, at this or any other time. He had himself enquired into the circumstances that had been so often alluded to, and was satisfied that enquiry would result in the perfect acquittal of those individuals from all blame. It was then understood that no other witness would be called in the case. Further proceedings were postponed to 11 o'clock to-day, and the House adjourned.

APRIL 26. In the *Senate*, yesterday, the General Appropriation Bill was read a third time and *passed*. The bill apportioning Representatives was taken up, and Mr. *Webster* moved to strike out all the provisions of the bill after the enacting clause, and insert the amendment, in blank, reported from the Select Committee on the subject. Messrs. *Dallas* and *Hill* spoke against the motion, and Messrs. *Webster*, *Dickerson*, and *Clayton* in favor of it. The question being taken, the motion prevailed by a vote of 22 to 22—the VICE-PRESIDENT voting in the affirmative. Mr. *Clayton* moved to fill the blank with 250, as the number of the House, which was rejected by a vote of 19 to 22. Mr. *Webster* moved to fill the blank with 251—which was agreed to by a vote of 27 to 14. The other blanks were then filled accordingly, and the amendments were reported and concurred in. The question was then taken on ordering the bill, as amended, to a third reading, and decided in the affirmative by a vote of 23 to 20. Mr. *Poindexter* introduced a joint resolution authorizing the President to contract with H. *Greenough* for the execution of a pedestrian statue of *Washington* to be placed in the Rotundo.

HOUSE OF REPRESENTATIVES.

CASE OF GEN. HOUSTON.

Mr. *Dodridge*, understanding from the statement, made at the adjournment on Tuesday, that all the testimony had been put into the case, moved that further proceedings be postponed till Friday, and the evidence printed. Mr. *Stanberry* said the

testimony was not all in the case. He was prepared to contradict all the material circumstances in the account of Mr. *Beckner*—whom, although a Senator, he was not bound to treat with respect, after finding him lying in wait with an assassin, for the purpose of attacking him in the street.—After some remarks by Messrs. *Wayne* and *Ashley*, *Jonathan Elliot*, Jr., was sworn, who testified to certain facts relative to the rencontre. *Jonathan Elliot* was next sworn, who stated the distance between Mr. *Gurney*'s lodgings and his own gate, &c. Mr. *Blair*, of Tennessee, was then sworn in behalf of the accused, who testified to the circumstances under which *Houston* and *Stanberry* met. Mr. *Stanberry* then called Gen. *Duff Green*, and propounded an interrogatory to him relative to the contemplated fraud between *Houston* and the Secretary of War. The question was objected to by Mr. *Wickliffe*. Mr. *Stanberry* replied to the objections. He pledged himself to prove all he had asserted, relative to this fraud.—He said he was fully aware of the danger of making such statements, and of the threats that had been expressed by the Executive against all who enquired into these abuses; but he was willing to bare his bosom to assassination. It was then enquired, by Mr. *Bates*, of Maine, whether he intended to assert that the President had expressed any such threats. Mr. *Stanberry* said he did, and was prepared to prove all he had asserted. A discussion arose as to the propriety of admitting the testimony of Gen. *Green* relating to the contemplated fraud, which was determined in the negative, ayes 49, nays 124. Mr. *Ewing* was then called by Mr. *Stanberry* to prove some discrepancies between the statements of Mr. *Beckner* on the stand, and those made by him in conversation the day after the affray took place, which resulted in a substantial confirmation of the testimony of Mr. *Beckner*. Mr. *Beckner* was then called again who replied to questions requiring a detailed account of some particulars of the rencontre which he had before stated in more general terms. After Mr. *Beckner* left the stand, in answer to an inquiry whether there would be more witnesses called, Mr. *Stanberry* said the last witness had stated what was absolutely untrue, and he should call on the Hon. T. H. *Benton* to discredit him as a man of truth and veracity. The proceedings were then postponed till 11 o'clock to-day, and a few minutes past five o'clock, the House adjourned.

“Mr. *Stanberry*’s reference to me as a witness, who would discredit Mr. *Beckner*, was made without my knowledge, and was not warranted by any sentiment ever entertained or expressed by me.”

“THOMAS H. BENTON.”

Mr. *Key* then proceeded to his argument in defense of Gen. *Houston*, which he continued near three hours, when he gave way to a motion by Mr. *Patton*, to postpone further proceedings in the case until to-day at 11 o'clock, which was agreed to, and the House adjourned.

APRIL 28. In the *Senate*, yesterday, the resolution for the purchase of Peale's original portrait of Washington, for the Senate Chamber, was referred to the Library Committee. The joint resolution authorizing the President to employ a skillful artist to execute, in marble, a pedestal statue of Washington, for the Rotundo, was referred to the same Committee. Mr. *Frelinghuysen*, from the Committee on the Judiciary, reported the bill supplementary to the act for the punishment of crimes against the United States, with an amendment. The Pension Bill was taken up, the question being on the amendment extending the provisions of the bill to those who fought in the Indian wars, in the northwest and southwest, prior to the year 1795. Mr. *Robinson* moved that the bill be re-committed with instructions to substitute for the pensions proposed in the bill, donations of public land, in tracts not less than the eighth of a section, nor exceeding two sections, to officers and soldiers who served for six months, as militia or volunteers, or in the regular army, during the war of the revolution, or in any wars prior to the year 1765. A long debate ensued, in which several members took part. The Senate adjourned to Monday.

In the *House of Representatives*, Mr. *Clay*, from the Committee on the Public Lands, reported a bill to establish additional Land Districts in the State of Alabama. Mr. *Roor*, from the Committee on Agriculture, reported a bill to encourage and promote the growth and cultivation of tropical plants.—On motion of Mr. *Roor*, the Committee of the Whole on the state of the Union, was discharged from the further consideration of the resolutions in relation to the proposed amendments to the Constitution, touching the election of President and Vice-President of the United States, and the same were referred to a Select Committee of seven.

CASE OF GEN. HOUSTON.

Mr. *Ashey*, of Missouri, offered the following preamble and resolution:

“WILLIAM *Stanberry*, a member of this House from the State of Ohio, having, on yesterday, when not giving evidence, declared to this House that the most of the testimony given by the Hon. *Alexander B. Beckner*, Senator from Missouri, who had given testimony in the case of the trial against *Samuel Houston*, was destitute of truth, and infamous; which declaration of *Stanberry* is indecorous and disrespectful to the House, the witness, and the Senate of which he is a member: Therefore

“Resolved, That the SPEAKER of this House call upon the said *Stanberry*, in his place, to retract the said indignity, and disrespect, which he has offered, by an apology to this House; and that he be reprimanded by the SPEAKER.”

Mr. *Ashey* said, in offering this resolution he was not actuated by any unkind feeling toward the gentleman from Ohio, nor by any prejudice against this unfortunate trial. He offered it as an act of duty to the character of a Senator from the State he represented, who had been insulted in the face of the House—due not only to the character of that gentleman, but to that of the State, which that gentleman represented in the other branch of the Legislature.

Here Mr. *Ashey* was interrupted by Mr. *Taylor*, who called for the question whether the House would now consider the resolution.

After some discussion on the point of order, arising from Mr. *Ashey*'s having possession of the floor, the question of consideration was taken and carried—Ayes 147, Nays 11.

Mr. *Stanberry* then rose and stated that no member was more sensible of the indecorum of the remarks than himself. They had been uttered under strong excitement. He had thought the honorable gentleman, who is a member of the Senate from Mis-

souri, had seized upon the opportunity of testifying before the House, to wound his feelings by his representation of some of the circumstances of the meeting between himself and Mr. *Houston*.

He had been previously informed that that gentleman had seized every occasion of bringing his conduct into a disgraceful point of view. He denied the truth of the circumstances as stated by him—but admitted that the words he had used while he was a witness before the House, and under their protection, could not be justified: he therefore apologized to the House—to the Senate—and even to the gentleman respecting whom the remarks had been made. When Mr. *Stanberry* had finished his remarks, Mr. *Speight* rose, and hoped the resolution would be withdrawn. Mr. *Ashey* withdrew the resolution. The SPEAKER then directed Gen. *Houston* to be placed at the bar—he soon afterwards appeared, attended by Mr. *Key*, his Counsel. Mr. *Cave Johnston* enquired whether Mr. *Benton* was to be called as a witness to discredit Mr. *Beckner*, as had been stated by the gentleman from Ohio, it was due to the character of Mr. *Beckner*, and to that of his colleague in the Senate, that he either be called on to testify, or be permitted to explain himself in some other way—Mr. *J. R.* requested the following paper to be read:

“Mr. *Stanberry*’s reference to me as a witness, who would discredit Mr. *Beckner*, was made without my knowledge, and was not warranted by any sentiment ever entertained or expressed by me.”

“THOMAS H. BENTON.”

Mr. *Key* then proceeded to his argument in defense of Gen. *Houston*, which