

CONVENTION

Between the United States of America and the Republic of Texas, for marking the boundary between them. (a)

April 25, 1838.

Ratifications
exchanged,
Oct. 12, 1838.
Proclamation
of the President
of the U. S.,
Oct. 13, 1838.

(a) See ante,
page 372.

WHEREAS the treaty of limits made and concluded on the twelfth day of January, in the year of our Lord one thousand eight hundred and twenty-eight between the United States of America on the one part and the United Mexican States on the other, is binding upon the Republic of Texas, the same having been entered into at a time when Texas formed a part of the said United Mexican States:

And whereas it is deemed proper and expedient in order to prevent future disputes and collisions between the United States and Texas in regard to the boundary between the two countries as designated by the said treaty, that a portion of the same should be run and marked without unnecessary delay:

The President of the United States has appointed John Forsyth, their plenipotentiary, and the President of the Republic of Texas has appointed Memucan Hunt its plenipotentiary:

And the said plenipotentiaries having exchanged their full powers, have agreed upon and concluded the following articles:

ART. 1. Each of the contracting parties shall appoint a commissioner and surveyor, who shall meet before the termination of twelve months from the exchange of the ratifications of this convention, at New Orleans, and proceed to run and mark that portion of the said boundary which extends from the mouth of the Sabine, where that river enters the Gulph of Mexico, to the Red river. They shall make out plans and keep journals of their proceedings, and the result agreed upon by them shall be considered as part of this convention, and shall have the same force as if it were inserted therein. The two Governments will amicably agree respecting the necessary articles to be furnished to those persons, and also as to their respective escorts, should such be deemed necessary.

Commissioner
and surveyor to
be appointed, to
run the bound-
ary line.

ART. 2. And it is agreed that until this line shall be marked out, as is provided for in the foregoing article, each of the contracting parties shall continue to exercise jurisdiction in all territory over which its jurisdiction has hitherto been exercised, and that the remaining portion of the said boundary line shall be run and marked at such time hereafter as may suit the convenience of both the contracting parties, until which time each of the said parties shall exercise without the interference of the other, within the territory of which the boundary shall not have been so marked and run, jurisdiction to the same extent to which it has been heretofore usually exercised.

Each party to
exercise juris-
diction until the
line is marked.

ART. 3. The present convention shall be ratified, and the ratifications shall be exchanged at Washington, within the term of six months from the date hereof, or sooner if possible.

Ratifications to
be exchanged
within six
months.

In witness whereof, we, the respective plenipotentiaries have signed the same, and have hereunto affixed our respective seals. Done at Washington, this twenty-fifth day of April, in the year of our Lord one thousand eight hundred and thirty-eight, in the sixty-second year of the independence of the United States of America, and in the third of that of the Republic of Texas.

JOHN FORSYTH, (L. S.)
MEMUCAN HUNT. (L. S.)