

Is it, or not, a violation of the 6th section of the act of Congress, passed on the 20th of April, 1818, entitled "An act in addition to an act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," that meetings should be held in this district, and committees appointed to provide means and make collections for the purpose of enabling the inhabitants of Texas to engage in a civil war with the sovereignty of Mexico, now at peace with the United States?

GIDEON TUCKER.

To which proposition the court replied as follows:

In answering the foregoing inquiry, the court will confine itself to the facts stated, and the section of the law referred to. The inquiry is, whether meetings held in this district, (or State,) and committees appointed to provide means and make collections *for the purpose of enabling the inhabitants of Texas to engage in a civil war with the sovereignty of Mexico*, is a violation of the section of the law referred to?

That section of the act is as follows: "And be it further enacted, That if any person shall, *within* the territory or jurisdiction of the United States, begin to set on foot, or provide or prepare the means for, any military expedition or enterprise, to be carried on *from thence* against the territory or dominions of any foreign prince or State, or of any colony, district, or people with whom the United States are at peace, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding three thousand dollars, and imprisoned not more than three years."

This section applies only to military expeditions and enterprises to be carried on *from the United States* against any foreign Power with which we are at peace. No person shall begin or set on foot, or provide or prepare the means for, any military expedition or enterprise, to be carried on *from thence*; that is, from the United States, or the territory within their jurisdiction. Donations in money, or any thing else, to the inhabitants of Texas, to enable them to engage in a civil war with the sovereignty of Mexico, is in no sense beginning, or setting on foot, or providing the means for, a military expedition *from the United States* or their territory. The answer, therefore, to the question put by the grand jury, is, That the facts stated do not amount to any offence, under the 6th section of the act referred to.

---

No. 5.

Mr. Gonzalez to Mr Price.

NEW YORK, November 13, 1835.

SIR: I have the honor to enclose a number of the "New York Times," of this day, in which you will find reported the proceedings of a meeting held last evening at Tammany Hall, with regard to the American territories of Texas adjacent to the United States. By these proceedings, it is plainly ascertained that there exists in this district an organized body