

*Mr. Price to Mr. Forsyth.*

U. S. DISTRICT ATTORNEY'S OFFICE,

*New York, November 13, 1835.*

SIR : In pursuance of the instructions in your letter of the 4th instant, I have the honor to report the proceedings I have taken in furtherance of its object.

As the provisions of the 10th and 11th sections of the act of April 20, 1818, peculiarly address themselves to collectors, on the 6th instant I communicated a copy of your instructions to the collector of this port, accompanied with a letter, of which I enclose a copy, No. 1. On the same day I addressed a letter to the Mexican consul residing in this city, from whom, on the following day, I received a reply, of which I furnish you with a copy, and also with a copy of my letter to him, Nos. 2 and 3. One of the deputy marshals attended at the meeting referred to in the letter of the consul; and on reporting to me substantially its proceedings, the resolutions did not designate the use to which the money proposed to be contributed was to be applied. I, nevertheless, considered it to be my duty to present the case to the attention of the grand jury, now sitting. A doubt arising whether the provisions of the sixth section (for there was clearly no evidence applicable to any other provisions of the act) had been violated, the grand jury formally propounded a question to the court. Judges Thompson and Betts concurred in a written opinion in reply : a copy of which I herewith transmit, together with the copy of the question proposed by the grand jury, No. 4.

The section referred to does certainly admit of the literal construction given to it by the court, and would be well amended by striking out the words in the fourth line, to wit : "to be carried on from thence;" and it would be well also to make it penal to "combine, confederate, or agree, directly or indirectly, to promote, aid, or assist such expedition or enterprise."

I have this day received from the Mexican consul resident here, a letter, a copy of which I enclose, calling my attention to an advertisement in the "Times," giving the proceedings of a meeting held last evening at Tammany Hall, with regard to the American territory of Texas. I will forthwith endeavor to obtain evidence of the establishment of the recruiting office referred to by the consul, such acts being unquestionably in violation of the statute referred to. No. 5.

I have the honor to be, very respectfully, sir,

Your most obedient servant,

WILLIAM M. PRICE,

*U. S. District Attorney.*

To the Hon. JOHN FORSYTH,

*Secretary of State, Washington.*