

River to, I think, the hundredth degree of west longitude. Well, sir, that did not go so far as Texas now claims, and why? Because it was an open question. War was yet raging between Texas and Mexico; it was not foreseen exactly what might be her ultimate limits. But, sir, we will come to the question of what was done at the time of her annexation.

The whole resolution which relates to the question of boundary, from beginning to end, assumes an open boundary, an unascertained, unfixed boundary to Texas on the West. Sir, what is the first part of the resolution? It is that "Congress doth consent that the territory properly included within and rightfully belonging to the Republic of Texas may be erected into a new State." Properly including—rightfully belonging to. The resolution specifies no boundary. It could specify none. It has specified no western or northern boundary for Texas. It has assumed in this state of uncertainty what we know in point of fact existed. But then the latter part of it: "Said state to be formed subject to the adjustment of all questions of boundary that may arise with other Governments, and the constitution thereof," &c. That is to say, she is annexed with her rightful and proper boundaries, without a specification of them; but inasmuch as it was known that these boundaries at the west and the north were unsettled, the Government of the United States retained to itself the power of settling with any foreign nation what the boundary should be.

Now, sir, it is impossible for me to go into the whole question and to argue it fully. I mean to express opinions or impressions, rather than to go into the entire argument. The western and northern limit of Texas being unsettled, and the Government of the United States having retained the power of settling it, I ask, suppose the power had been exercised, and that there had been no cession of territory by Mexico to the United States, but that the negotiations between the countries had been limited simply to the fixation of the western and northern limits of Texas, could it not have been done by the United States and Mexico conjointly? Will any one dispute it? Suppose there had been a treaty of limits of Texas concluded between Mexico and the United States, fixing the Nueces as the western limit of Texas, would not Texas have been bound by it? Why, by the express terms of the resolution she would have been bound by it; or if it had been the Colorado or the Rio Grande, or any other boundary, whatever western limit had been fixed by the joint action of the two powers, would she have been binding and obligatory upon Texas by the express terms of the resolution by which she was admitted into the Union. Now, sir, Mexico and the United States conjointly, by treaty, might have fixed upon the western and northern limits of Texas, and if the United States have acquired by treaty all the subjects upon which the limits of Texas might have operated, have not the United States now the power solely and exclusively which Mexico and the United States conjointly possessed prior to the late treaty between the two countries? It seems to me, sir, that this conclusion and reasoning are perfectly irresistible. If Mexico and the United States could have fixed upon any western limit for Texas, and did not do it, and if the United States have acquired to themselves, or acquired by the treaty in question, all the territory upon which the western limit must have been fixed, when it was fixed, it seems to me that no one can resist the logical conclusion that the United States now have themselves a power to do what the United States and Mexico conjointly could have done.

Sir, I admit it is a delicate power—an extremely delicate power. I admit that it ought to be exercised in a spirit of justice, liberality, and generosity toward this the youngest member of the great American family.—But here the power is. Possibly, sir, upon that question—however I offer no positive opinion—possibly, if the United States were to fix it in a way unjust in the opinion of Texas, and contrary to her rights, she might bring the question before the Supreme Court of the United States, and have it there again investigated and decided. I say possibly, sir, because I am not one of that class of politicians who believe that every question is a competent and proper question for the Supreme Court of the United States. There are questions too large for any tribunal of that kind to try; great political questions, national territorial questions, which transcend their limits; for such questions their powers are utterly incompetent. Whether this be one of those questions or not, I shall not decide; but I will maintain that the United States are now invested solely and exclusively with that power which was common to both nations—to fix, ascertain, and settle the western and northern limits of Texas.

Sir, the other day my honorable friend who represents so well the State of Texas said, that we had no more right to touch the limits of Texas than we had to touch the limits of Kentucky. I think that was the illustration he gave us—that a state is one and indivisible and that the General Government has no right to sever it. I agree with him, sir, in that where the limits are ascertained and certain, where they are undisputed and indisputable. The General Government has no right, nor has any other earthly power the right, to interfere with the limits of a State whose boundaries are thus fixed, thus ascertained, known, and recognised.—The whole power, at least, to interfere with it is voluntary. The extreme of