

Mr. CLAY. If the Senator will permit me to conclude what I have to say in relation to Texas, I will then cheerfully yield the floor for his motion.

I was about to remark that, independently of this most liberal and generous boundary which is tendered to Texas, we propose to offer her in this second resolution a sum which the worthy Senator from Texas thinks will not be less than three millions of dollars—the exact amount neither he nor I can furnish, not having the materials at hand upon which to make a statement. Well, sir, you get this large boundary and three millions of your debt paid. I shall not repeat the argument which I urged upon a former occasion, as to the obligation of the United States to pay a portion of this debt, but was struck the other day, upon reading the treaty of limits, first between the United States and Mexico, and next the treaty of limits between the United States and Texas, to find, in the preamble of both those treaties, a direct recognition of the principle from which I think springs our obligation to pay a portion of this debt, for the payment of which the revenue of Texas was pledged before her annexation. The principle asserted in the treaty of limits with Mexico is, that whereas by the treaty of 1819, between Spain and the United States, a limit was fixed between Mexico and the United States, Mexico comprising then a portion of the possessions of the Spanish Government, although Mexico was at the date of the treaty severed from the crown of Spain, yet she, as having been a part of the possessions of the crown of Spain when the treaty of 1819 was made, was bound by that treaty as much as if it had been made by herself instead of Spain—in other words, that the severance of no part of a common empire can exonerate either portion of that empire from the obligations contracted when the empire was entire and unsevered. And, Sir, the same principle is asserted in the treaty of 1828, between Texas, and the United States. The principle asserted is, that the treaty of 1828 between Mexico and the United States having been made when Texas was a part of Mexico, and that now Texas being dissevered from Mexico, she nevertheless remains bound by that treaty as much as if no such severance had taken place. In other words, the principle is this—that when an independent power creates an obligation or debt, no subsequent political misfortune, no subsequent severance of the territories of that power, can exonerate it from the obligation that was created while an integral and independent power; in other words, to bring it down and apply it to this specific case—that, Texas being an independent power, and having a right to make loans and to make pledges, having raised a loan and pledged specifically the revenues arising from the customs to the public creditor, the public creditor became invested with a right to that fund; and it is a right of which he could not be divested by any other act than one to which his own consent was given—it could be divested by no political change which Texas might think proper to make. In consequence of the absorption or merging of Texas into the United States, the creditor, being no party to the treaty which was formed, does not lose his right—he retains his right to demand the fulfilment of the pledge that was made upon this specific fund, just as if there had not been any annexation of Texas to the United States.

That was the foundation upon which I arrived at the conclusion expressed in the resolution—that the United States having appropriated to themselves the revenue arising from the imports, which revenue had been pledged to the creditor of Texas, the United States as an honorable and just power ought now to pay the debt for which those duties were solemnly pledged by a power independent in itself, and competent to make the pledge. Well, sir, I think that when you consider the large boundary which is assigned to Texas—and when you take into view the abhorrence, for I think I am warranted in using this expression—with which the people of New Mexico East of the Rio Grande will look upon any political connexion with Texas—and when, in addition to this, you take into view the large grant of money that we propose to make, and our liberality in exonerating her from a portion of her public debt, equal to that grant—when we take all these circumstances into consideration, I think I have presented a case in regard to which I confess I shall be greatly surprised if the people of Texas themselves, whether they come to deliberate upon these liberal offers, hesitate a moment to accede to them.

I have now got through with what I had to say in reference to this resolution, and if the Senator from Mississippi wishes it, I will give way for a motion for adjournment.

On motion of Mr. Foote the farther consideration of the resolution was postponed, and on motion,

The Senate adjourned.

WEDNESDAY, Feb. 6.

Mr. CLAY. Mr. President, if there be in this vast assembly of beauty, grace, elegance and intelligence any who have come here under an expectation that the humble individual who now addresses you means to attempt any display, any use of ambitious language, any extraordinary ornament or decoration of speech, they will be utterly disappointed. The season of