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IN THE  
**Supreme Court of the United States**  
OCTOBER TERM, 1959

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No. 10, Original

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UNITED STATES OF AMERICA  
*Plaintiff,*

v.

STATES OF LOUISIANA, TEXAS, MISSISSIPPI,  
ALABAMA and FLORIDA,  
*Defendants.*

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APPENDIX D TO  
POST-SUBMISSION REPLY ARGUMENT AND  
MEMORANDUM ON BEHALF OF THE  
STATE OF TEXAS

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November 2, 1959

CHART OF EVIDENCE AS TO SEAWARD BOUNDARIES AND MARITIME JURISDICTION  
1763 - 1868

Evidence Cited By Gulf States					Evidence Cited By The Solicitor General					Comment
Year	Event	Area Involved	Subject Matter	Purpose	Year	Event	Area Involved	Subject Matter	Purpose	
1763	Proclamation of King George III "The Government of East Florida, (was) bounded to the Westward by the Gulf of Mexico and the Apalachicola river . . . and to the East and South by the Atlantic Ocean and the Gulf of Florida, including all islands within six leagues of the sea coast. . . ." "The Government of West Florida (was) bounded to the Southward by the Gulf of Mexico, including all islands within six leagues of the coast, from the river Apalachicola to Lake Pontchartrain. . . ." Florida Br. 66-67.	Gulf of Mexico	Boundary	To Define the Boundaries of British Possessions in America						
1783	Treaty of Paris "And that all Disputes which might arise in future on the Subject of the Boundaries of the said United States may be prevented, it is hereby agreed and declared, that the following are and shall be their Boundaries, Viz. ". . . comprehending all Islands within twenty Leagues of any Part of the Shores of the United States, and lying between Lines to be drawn due East from the Points where the aforesaid Boundaries between Nova Scotia on the one Part and East Florida on the other, shall respectively touch the Bay of Fundy and the Atlantic Ocean, excepting such Islands as now are or heretofore have been within the Limits of the said Province of Nova Scotia." Joint Rep. Br. 6-7.	Atlantic Coast	Boundary	" . . . that all Disputes which might arise in future on the Subject of Boundaries of the said United States may be prevented, . . ."						Although this treaty was well known to President Jefferson, there is no indication that he thought he was changing its boundary provisions by his letter establishing a limit for protection of neutral shipping.
1790	Customs Act of August 8 ". . . it shall be lawful for all . . . the officers of the revenue cutters hereinafter mentioned, to go on board of ships or vessels in any part of the United States, or within four leagues of the coast thereof, if bound to the United States, . . . for the purposes . . . of examining and searching the said ships or vessels; . . ." 1 Stat. 164.	Atlantic Coast	Smuggling	"An Act to provide more effectually for the collection of the duties imposed by law on goods, wares and merchandise imported into the United States, and on the tonnage of ships or vessels."						This is an early extension of jurisdiction on an ad hoc basis having no relation to the location of national boundaries.

Evidence Cited By Gulf States					Evidence Cited By The Solicitor General					
Year	Event	Area Involved	Subject Matter	Purpose	Year	Event	Area Involved	Subject Matter	Purpose	Comment
1793	President Jefferson's letters to France, and Great Britain "The President gives instructions to the officers acting under his authority to consider those heretofore given them as restrained for the present to the distance of one sea-league or three geographical miles from the sea shore." 6 Writings of Jefferson 440 (Ford ed.)	Atlantic Coast	Neutrality	The letter began: "The President of the United States thinking that before it shall be finally decided to what distance from our sea shores the territorial protection of the United States shall be exercised, it will be proper to enter into friendly conferences and explanations with the powers chiefly interested in the navigation of the seas on our coast, and relying that convenient occasions may be taken for these hereafter, finds it necessary in the mean time, to fix provisionally on some distance for the present government of these questions. You are sensible that very different opinions and claims have been heretofore advanced on this subject. The greatest distance to which any respectable assent among nations has been at any time, has been the extent of the human sight, estimated at upwards of 20 miles, and the smallest distance I believe, claimed by any nation whatever is the utmost range of a cannon ball, usually stated at one sea-league. Some intermediate distances have also been insisted on, and that of three sea leagues has some authority in its favor. The character of our coast, remarkable in considerable parts of it for admitting no vessels of size to pass near the shores, would entitle us in reason to as broad a margin of protected navigation as any nation whatever. Reserving however the ultimate extent of this for future deliberation . . ."						This establishes a foreign policy recognizing that three miles is a minimum security distance, that three leagues is premissible, and that some nations exercise jurisdiction to a distance of twenty miles.
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Evidence Cited By Gulf States					Evidence Cited By The Solicitor General					
Year	Event	Area Involved	Subject Matter	Purpose	Year	Event	Area Involved	Subject Matter	Purpose	Comment
					1794 (June 5) and Subsequent Years	Neutrality Act "That the district courts shall take cognizance of complaints by whomsoever instituted, in cases of captures made within the waters of the United States, or within a marine league of the coasts or shores thereof." 1 Stat. 381.	Atlantic Coast	Neutrality	The Act defines a series of crimes against the neutrality fo the United States and fixes jurisdiction.	This Act implements President Jefferson's tentative policy.—It is limited to captures. It does not purport to fix a territorial boundary.
					1794 (Nov. 19)	The Jay Treaty with Great Britain "Neither of the said parties shall permit the ships or goods belonging to the subjects or citizens of the other, to be taken within cannonshot of the coast, nor in any of the bays, ports, or rivers of their territories, by ships of war, or others having commission from any prince, republic,, o rstate whatever. But in case it should so happen, the party whose territorial rights shall thus have been voilated, shall use his utmost endeavours to obtain from the offending party, full and ample satisfaciton for the vessel or vessells so taken, whether the same be vessels of war or merchant vessells." Gov. Br. 63; 8 Stat. 128.	Atlantic (all Coasts)	Neutrality		This treaty is in line with Jeffer-son's tentative policy.
					1796	Secretary of State Pickering's Letter to Lt. Gov. of Virginia "Our jurisdiction * * * has been fixed (at least for the purpose of regulating the conduct of the govern-ment in regard to any events arising out of the present European war) to extend three geographical miles (or nearly three and a half Engilsh miles) from our shores * * *." Gov. Br. 63-64.	Atlantic Coast	Neutrality		Secretary Pickering, by his paren-theses, emphasizes the limited char-acter of the jurisdiction then asserted by the United States.
1799	Customs Act ". . . it shall be lawful for all . . . the officers of the revenue cutters hereinafter mentioned to go on board of ships or vessels in any port of the United States, or within four leagues of the coast thereof, if bound to the United States, . . . for the purpose of examining and searching the said ships or vessels; . . ." 1 Stat. 668.	Atlantic Coast	Smuggling	"An act to regulate the collection of duties on imports and tonnage." 1 Stat. 628.						Re-enactment of the earlier 1790 act.

Evidence Cited By Gulf States					Evidence Cited By The Solicitor General					
Year	Event	Area Involved	Subject Matter	Purpose	Year	Event	Area Involved	Subject Matter	Purpose	Comment
1805 (Nov. 30)	President Jefferson's Conversation With John Quincy Adams "The President mentioned a late act of hostility committed by a French privateer near Charleston, South Carolina, and said that we ought to assume as a principle that the neutrality of our territory should extent to the Gulf Stream, which was a natural boundary, and within which we ought not to suffer any hostility to be committed." I Memoirs of J. Q. Adams 375-76.	Atlantic and Gulf Coasts	Neutrality	"Mr. Gaillard observed that on a former occasion in Mr. Jefferson's correspondence with Genet, and by an Act of Congress at that period, we had seemed only to claim the usual distance of three miles from the coast; but the President replied that he had then assumed that principle because Genet by his intemperance forced us to fix on some point, and we were not then prepared to assert the claim of jurisdiction to the extent we are in reason entitled to; but he had then taken care expressly to reserve the subject for future consideration, with a view to this same doctrine for which he now contends. . . . But in the mean time, he said, it was advisable to squint at it, and to accustom the nations of Europe to the idea that we should claim it in the future." Joint Br. 112.	1805 (Nov. 20)	The Anna, 5 C. Robinson 676, 165 Eng. Rep. 809. American ship captured by privateer "at the distance of a mile and a half from the Western shore of the principal entrance of the Mississippi, and within view of a post protected by a gun . . ."	Gulf of Mexico	Neutral Rights	The Court said: "I am of opinion that the privateer has laid herself open to great reprehension. Captors must understand, that they are not to station themselves in the mouth of a neutral river, for the purpose of exercising the rights of war from that river, much less the river itself. . . . Looking to all the circumstances of previous misconduct, I feel myself bound to pronounce, that there has been a violation of territory, and that as to the question of property, there was not sufficient ground of seizure; and that these acts of misconduct have been further aggravated, by bringing the vessel to England, without any necessity that can justify such a measure." 165 Eng. Rep. at 815-16.	This case throws no light on whether the boundary was 3 miles or three leagues since the ship was captured within a mile and a half of land.
										Jefferson plainly thought that the breadth of the security zone could be changed from time to time. He had no idea of fixing a state boundary.

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Year	Event	Area Involved	Subject Matter	Purpose	Year	Event	Area Involved	Subject Matter	Purpose	Comment
1805 (Dec. 3)	President Jefferson's Annual Message "I found it necessary to equip a force to cruise within our own seas, to arrest all vessels of these descriptions found hovering on our coasts, within the limits of the Gulf Stream, and to bring the offenders in for trial as pirates." Joint Br. 113.	Atlantic and Gulf Coasts	Neutrality	"Since our last meeting, the aspect of our foreign relations has considerably changed. Our coasts have been infested and our harbors watched by private armed vessels, some of them without commissions, some with illegal commissions, others with those of legal form, but committing piratical acts beyond the authority of their commissions." 1 American State Papers 66.						
1806 (May 17)	Secretary of State Madison to Monroe and Pinkney, U. S. Ministers to Britain ". . . it may be expected that the British Government will not refuse to concur in an article to the following effect: "It is agreed that all armed vessels belonging to either of the parties engaged in war, shall be effectually restrained by positive orders, and penal provisions, from seizing anywhere at sea, within the distance of four leagues from the shore . . . "If the distance of four leagues cannot be obtained, any distance not less than one sea league may be substituted in the article."	Atlantic and Gulf Coasts	Neutrality	"In defining the distance protected against belligerent proceedings, it would not, perhaps, be unreasonable, considering the extent of the United States, the shoalness of their coast, and the natural indication furnished by the well defined path of the Gulf Stream, to expect an immunity for the space between that limit and the American shore." 4 North Atlantic Coast Fisheries Arbitration 102-103.						
1811	Louisiana Enabling Act "Be it enacted, That the inhabitants of all that part of the territory or country ceded under the name of Louisiana, by the treaty made at Paris . . . contained within the following limits, that is to say: beginning at the mouth of the river Sabine, . . . and from thence along the middle of the said river and lakes Maurepas and Ponchartrain, to the Gulf of Mexico; thence bounded by the said gulf to the place of beginning; including all islands within three leagues of the coast, be and they are hereby authorized to form for themselves a constitution and state government, . . ." 2 Stat. 641.	Gulf of Mexico	Boundary	"An Act to enable the people of the Territory of Orleans to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states, and for other purposes."						This is the first act by which the Congress undertook to fix the maritime boundary of a proposed new state.

Evidence Cited By Gulf States					Evidence Cited By The Solicitor General					
Year	Event	Area Involved	Subject Matter	Purpose	Year	Event	Area Involved	Subject Matter	Purpose	Comment
812	Louisiana Admission Act "Whereas, the representatives of the people of all that part of the territory or country ceded, under the name of 'Louisiana,' by the treaty made at Paris, . . . contained within the following limits, that is to say; beginning at the mouth of the river Sabine; . . . and from thence, along the middle of the said river, and lakes Maurepas and Ponchartrain, to the Gulf of Mexico; thence, bounded by the said gulf, to the place of beginning, including all islands within three leagues of the coast; did, . . . form for themselves a constitution and state government, . . . 2 Stat. 701.	Gulf of Mexico	Boundary	"An Act for the admission of the State of Louisiana into the Union, and to extend the laws of the United States to the said state."						
817 Mar. 1)	Mississippi Enabling Act "Sec. 2. and be it further enacted, That the said state shall consist of all the territory included within the following boundaries, to wit: . . . thence due south to the Gulf of Mexico, thence westwardly, including all the islands within six leagues of the shore, to the most eastern junction of Pearl river with Lake Borgne, . . ." 3 Stat 348.	Gulf of Mexico	Boundary	"An Act to enable the people of the western part of Mississippi territory to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states.	1815	Treaty with Algiers "XI. If a Vessel of either of the Contracting Parties shall be attacked by an Enemy within cannon shot of the Forts of the other, she shall be protected as much as is possible." Gov't. Br. 64-65.	Mediterranean Sea and U.S. Coasts	Neutrality	Treaty of Peace	This treaty adds nothing to the protection to which Algerian ships were already entitled off of the coast of the United States. It does not determine Gulf State boundaries.
817 Mar. 3)	Alabama Territory Organic Act "Be it enacted . . . That all that part of the Mississippi territory which lies within the following boundaries, to wit: . . . thence due south to the Gulf of Mexico, thence eastwardly, including all the islands within six leagues of the shore, to the Perdido river . . . 3 Stat. 371.	Gulf of Mexico	Boundary	"An Act to establish a separate territorial government for the eastern part of the Mississippi territory."						

Evidence Cited By Gulf States					Evidence Cited By The Solicitor General					
Year	Event	Area Involved	Subject Matter	Purpose	Year	Event	Area Involved	Subject Matter	Purpose	Comment
1817 (Dec. 10)	Mississippi Admission Act "Whereas, in pursuance of an Act of Congress, passed on the first day of March, one thousand eight hundred and seventeen . . . the people of the said territory did, on the fifteenth day of August, in the present year, by a convention called for that purpose, form for themselves a constitution and state government . . . "Resolved . . . That the state of Mississippi shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original states, in all respects whatever." 3 Stat. 472.	Gulf of Mexico	Boundary	"Resolution for the admission of the State of Mississippi into the Union."	1818	Convention with Great Britain "Whereas differences have arisen respecting the liberty claimed by the United States, for the inhabitants thereof, to take, . . . fish on certain coasts, . . . of his Britannic Majesty's dominions in America, it is agreed . . . that the inhabitants of the said United States shall have, forever, in common with the subjects of his Britannic Majesty, the liberty to take fish . . . on . . . the . . . coast of Newfoundland, . . . of Labrador, . . . And the United States hereby renounce, forever, any liberty heretofore enjoyed or claimed by the inhabitants thereof, to take, dry, or cure fish, on or within three marine miles of any of the coasts, bays, creeks or harbours, of his Britannic Majesty's dominions in America, not included within the adovementioned limits." 8 Stat. 248.	East Coast of Canada	Fisheries	The American Commissioners explained: "It will also be perceived that we insisted on the clause by which the United States renounce their right to the fisheries relinquished by the convention, that clause having been omitted in the first British counterproject. We insisted on it with the view—1st. Of preventing any implication that the fisheries secured to us were a new grant, and of placing the permanence of the rights secured and of those renounced precisely on the same footing. 2d. Of its being expressly stated that our renunciation extended only to the distance of three miles from the coasts. This last point was the more important, as, with the exception of the fishery in open boats within certain harbours, it appeared, from the communications above mentioned, that the fishing grounds, on the whole coast of Nova Scotia, is more than three miles from the shores; whilst, on the contrary, it is almost universally close to the shore on the coasts of Laborador. It is in that point of view that the privilege of entering the ports for shelter is useful, and it is hoped that, with that provision, a considerable portion of the actual fisheries on that coast (of Nova Scotia) will, notwithstanding the renunciation, be preserved." Gallatin and Rush (U.S. Ministers) to John Quincy Adams (Secretary of State), 4 North Atlantic Coast Fisheries Arbitration 161.	The Gulf boundaries of Mississippi are not set out, but the Act incorporates by reference the Mississippi-Enabling Act of March 1, 1817 which did set out the boundaries.   



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Year	Event	Area Involved	Subject Matter	Purpose	Year	Event	Area Involved	Subject Matter	Purpose	Comment
1819 (Feb. 22)	Treaty with Spain "His Catholic Majesty cedes to the United States, in full property and sovereignty, all the territories which belong to him, situated to the eastward of the Mississippi, known by the name of East and West Florida. The adjacent islands dependent on said provinces, . . . are included in this article." 8 Stat. 254.	Gulf of Mexico	Boundary							
1819 (Mar. 2)	Alabama Enabling Act "And be it further enacted, That the said state shall consist of all the territory included within the following boundaries, to wit: . . . thence, due south, to the Gulf of Mexico; thence, easterwardly, including all islands within six leagues of the shore, to the Perdido river; . . ." 3 Stat. 489.	Gulf of Mexico	Boundary	"An Act to enable the people of the Alabama territory to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states."						
1819 (Dec. 4)	Alabama Admission Resolution "Whereas, in pursuance of an act of Congress, passed on the second day of March, one thousand eight hundred and nineteen . . . the people of the said territory did, on the second day of August, in the present year, by a convention called for that purpose, form for themselves a constitution and state government, . . . "Resolved . . . That the state of Alabama shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original states, in all respects whatever." 3 Stat. 608.	Gulf of Mexico	Boundary	"Resolution declaring the admission of the state of Alabama into the Union."						
					1822 (Feb. 22)	Secretary of State John Q. Adams to Russian Minister "I am directed by the President of the United States to inform you that he has seen with surprise . . . a regulation interdicting to all commercial vessels other than Russian, upon the penalty of seizure and confiscation, the approach upon the high seas within one hundred Italian miles of the shores to which that claim is made to apply. . . . To exclude the vessels of our citizens from the shore, beyond the ordinary distance to which the territorial jurisdiction extends, has excited still greater surprise." 4 American State Papers 861.	North Pacific	Fishery and Commercial Trade		In this and the succeeding letter, Mr. Adams only says 100 miles is too broad a claim to exclude shipping.

Evidence Cited By Gulf States

Year	Event	Area Involved	Subject Matter	Purpose
1822 Mar. 30)	Florida Territory Organic Act "Be it enacted . . . That all that territory ceded by Spain to the United States, known by the name of East and West Florida, shall constitute a territory of the United States, under the name of the territory of Florida. . . ." 3 Stat. 654.	Gulf of Mexico	Boundary	"An Act for the establishment of a territorial government in Florida,"

Evidence Cited By The Solicitor General

Year	Event	Area Involved	Subect Matter	Purpose
1822 (Mar. 30)	Secretary of State John Q. Adams to Russian Minister "The pretention is to be considered, not only with reference to the ques- tion of territorial right, but also to that prohibition, to the Vessels of other Nations, including those of The United States, to approach within 100 Italian miles of the Coast." 4 American State Papers 863.	North Pacific	Fishery and Commer- cial Trade	Mr. Adams continued: "From the period of the existence of The United States as an Independ- ent Nation, their Vessels have freely navigated those Seas, and the right to navigate them is a part of that Independence. "With regard to the Suggestion, that the Russian Government might have justified the exercise of Sover- eignty over the Pacific Ocean as a close sea, because it claims territory both on its American and Asiatic Shores, it may suffice to say, that the distance from shore to shore on this Sea in Latitude 51 North, is not less than 90 degrees of Longitude, or 4,000 miles." 4 American State Papers 863.
1823	Memorandum of Henry Middleton U. S. Minister to Russia to Russian Foreign Minister "Universal usage, which has ob- tained the force of law, has estab- lished for all the coasts an accessory limit of a moderate distance, which is sufficient for the security of the country and for the convenience of its inhabitants, but which lays no re- straint upon the universal rights of nations, nor upon the freedom of commerce and of navigation.—(See Vattel, B. I., chap. 23, Sec. 289)." 5 American State Papers 452.	North Pacific	Fishery and Commer- cial Trade	The Memorandum says: "The extension of territorial rights to the distance of a hundred miles from the coasts upon two opposite continents, and the prohibition of ap- proaching to the same distance from these coasts, or from those of all the intervening islands, are innovations in the law of nations, and measures unexampled. It must thus be imagin- ed that this prohibition, bearing the pains of confiscation, applies to a long line of coasts, with the intermediate islands, situated in vast seas, where the navigation is subject to innumera- ble and unknown difficulties, and where the chief employment, which is the whale fishery, cannot be compati- ble with a regulated and well de- termined course. . . . "The right cannot be denied of shut- ting a port, a sea, or even an entire country, against foreign commerce in some particular cases. . . . [Here appears the paragraph quoted by the Solicitor]. "The only object of these observa- tions is to induce a reconsideration of all this question, in general, on the part of the Russian Government, whose just and reasonable disposition cannot be doubted, and to prevail upon it to adopt the measures which its wisdom shall point out to it as most proper to mitigate the incon- veniences which arise to foreign na- tions from the decree on the priv- ileges of the Rusisan American Com- pany. . . ." 5 American State Papers 452.

Comment

The Treaty of 1824 which John Q. Adams and Henry Middleton succeed- ed in negotiating with Russia pro- vided:

"It is agreed that, in any part of the Great Ocean, commonly called the Pacific Ocean, or South Sea, the res- pective citizens or subjects of the high contracting Powers shall be neither disturbed nor restrained, either in navigation or in fishing, or in the power of resorting to the coasts upon points which may not already have been occupied, for the purpose of trading with the natives, . . . 8 Stat. 302.

There is no reservation of any marginal sea right by either party.

The paragraph from Vattel does not support Middleton's categorical statement. It says:

"It is not easy to determine to what distance a nation may extend its rights over the sea by which it is surrounded. . . . But this exact de- termination can only be founded on a general consent of nations, which it would be difficult to prove. Each state may, on this head, make what regulation it pleases so far as respects the transactions of the citizens with each other, or their concerns with the sovereign: but, between nation and nation, all that can reasonably be said is, that, in general, the dominion of the state over the neigh- boring sea extends as far as her safety renders it necessary and her power is able to assert it. . . ."

It thus supports one league only as a minimum distance.

Evidence Cited By Gulf States				Evidence Cited By The Solicitor General						
Year	Event	Area Involved	Subject Matter	Purpose	Year	Event	Area Involved	Subject Matter	Purpose	Comment
					1826	The Mariana Flora. 11 Wheat. 1, 42-43, per Story, J.—Libel for attack on high seas of U. S. warships by Portuguese merchant vessel. “It has been argued, that no ship has a right to approach another at sea; and that every ship has a right to draw round her a line of jurisdiction, within which no other is at liberty to intrude. In short, that she may appropriate so much of the ocean as she may deem necessary for her protection, and prevent any nearer approach. “This doctrine appears to us novel, and is not supported by any authority. It goes to establish upon the ocean a territorial jurisdiction, like that which is claimed by all nations within cannon shot of their shores, in virtue of their general sovereignty. But the latter right is founded upon the principle of sovereign and permanent appropriation, and has never been successfully asserted beyond it. Every vessel undoubtedly has a right to the use of so much of the ocean as she occupies, and as is essential to her own movements. Beyond this, no exclusive right has ever yet been recognized, and we see no reason for admitting its existence.”	Atlantic Ocean	Territorial Rights of Ships on the High Seas		This statement, incidental to a decision involving a claimed territorial right of a ship at sea, is immaterial to the determination of State boundaries in the Gulf of Mexico.
					1832	Secretary of State Edward Livingston's Instructions to Francis Baylies “The ocean fishery is a natural right which all nations may enjoy, in common. Every interference with it by a foreign power is a national wrong. When it is carried on within the marine league of the coast which has been designated as the extent of national jurisdiction, reason seems to dictate a restriction, if, under pretext of carrying on the fishery an evasion of the revenue laws of the country may reasonably be apprehended, or any other serious injury to the Sovereign of the coast, he has a right to prohibit it; but as such prohibition derogates from a natural right, the evil to be apprehended ought to be a real, not an imaginary one. No such evil can be apprehended on a desert and uninhabited coast—therefore such coasts form no exception to the common right of fishery in the seas adjoining them.” 1 Manning, Diplomatic Correspondence of the U. S.—Inter-American Affairs 9.	Falkland Islands South Atlantic	Fishery	A concluding paragraph said: “The object of establishing these points is to embody them into a treaty which you have herewith a full power to negotiate and conclude. The articles on this subject must acknowledge our right to the fisheries on the shores while they remain unsettled, and you may fix a certain extent from each settlement, not to exceed ten leagues each way.” Ibid at 11.	A full reading of these instructions shows that the purpose was to secure an unrestricted right to continue to use the waters and shores of these uninhabited South Atlantic islands for fisheries. The assertions were made in the hope of concluding a treaty embodying these principles—which vary in significant detail from the modern conception of a territorial sea, exclusive fishing right. They were obviously not intended to fix State boundaries in the Gulf of Mexico.

Evidence Cited By Gulf States			
Year	Event	Area Involved	Subject Matter Purpose
1836	Texas Boundary Act Be it enacted, . . . That from and after the passage of this act, the civil and political jurisdiction of this republic be, and is hereby declared to extend to the following boundaries, to wit: beginning at the mouth of the Sabine river, and running west along the Gulf of Mexico three leagues from land, to the mouth of the Rio Grande, . . . " Texas Br. 225.	Gulf of Mexico	Boundary "An Act to define the Boundaries of the Republic of Texas."
1837	Recognition of Texas Senate Resolution "Resolved, That the State of Texas having established and maintained an Independent Government, capable of performing those duties, foreign and domestic, which appertain to independent Governments, and it appearing that there is no longer any reasonable prospect of successful prosecution of the war by Mexico against said State it is expedient and proper and in conformity with the laws of nations and the practice of this Government in like cases, that the independent political existence of said state be acknowledged by the Government of the United States." Cong. Globe, 24th Cong. 2d Sess. 83.	Gulf of Mexico	Boundary Diplomatic Recognition
1838	United States-Texas Boundary Convention "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 Gulf of Mexico, to the Red river." 8 Stat. 511.	Eastern Land Boundary of Texas	Boundary The Treaty further provided: "And it is agreed . . . 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 inference of the other, within the territory of which the boundary shall not have been so marked and run, jurisdiction to the same extent which it has been heretofore usually exercised." 8 Stat. 511.

Evidence Cited By The Solicitor General					Comment
Year	Event	Area Involved	Subject Matter	Purpose	
					The United States made no protest of the Texas boundary when the statute was passed.
					The United States made no protest of the 3-league boundary at or after recognition.
					The Texas Boundary Act was known to the Commissioners and the Treaty expressly reserves all parts of that boundary not then surveyed. The United States made no protest of the 3-league boundary at this time.

Evidence Cited By Gulf States					Evidence Cited By The Solicitor General					
Year	Event	Area Involved	Subject Matter	Purpose	Year	Event	Area Involved	Subject Matter	Purpose	Comment
					1842	Secretary of State Daniel Webster to Lord Ashburton re treatment of American Vessel with Slaves in a British Port. "A vessel on the high seas beyond the distance of a marine league from the shore, is regarded as part of the territory of the nation to which she belongs, and subjected exclusively to the jurisdiction of that nation." 30 British and Foreign State Papers 183-184. Gov't. Rep. Br. p. 33-34.	Port in Bahama Islands	Territoriality of Ships in a Foreign Port	"The Bahama Islands approach the coast of Florida within a few leagues, and, with the coast, form a long and narrow channel, filled with innumerable small islands and banks of sand, and the navigation difficult and dangerous, not only on these accounts, but from the violence of the winds and the variable nature of the currents. Accidents are of course frequent, and necessity often compels vessels of The United States in attempting to double Cape Florida, to seek shelter in the ports of these islands." Immediately following the sentence quoted by the Government: "If, against the will of her master or owner, she be driven or carried nearer to the land, or even into port, those who have or who ought to have control over her, struggling all the while to keep her upon the high seas, and so within the exclusive jurisdiction of her own Government, what reason or justice is there in creating a distinction between her rights and immunities in a position thus the result of absolute necessity, and the same rights and immunities before superior power had forced her out of her voluntary course? "But, my Lord, the rule of law and the comity and practice of nations, go much further than these cases of necessity, and allow even to a merchant-vessel coming into any open port of another country, voluntarily, for the purposes of lawful trade, to bring with her and keep over her, to a very considerable extent, the jurisdiction and authority of the laws of her own country."	This letter dealt specifically with the status of slaves on board a ship entering the port of a free country. It has no relevance to the breadth of State boundaries in the Gulf of Mexico.
1844	U.S.-Texas Treaty of Annexation (Unratified) "The Republic of Texas, acting in conformity with the wishes of the people and every department of its government, cedes to the United States all its territories, to be held by them in full property and sovereignty, and to be annexed to the said United States as one of their Territories, subject to the same constitutional provisions with their other Territories." 4 Miller, Treaties and other International Acts of the U.S.A. 697.	Gulf of Mexico	Cession of Territory	Cession of entire territory to the United States.						No protest was made of the Texas 3-league boundary at this time either.

Evidence Cited By Gulf States

Year	Event	Area Involved	Subject Matter	Purpose
1845 (Mar. 1)	Joint Resolution Inviting Texas Annexation "Resolved . . . 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, to be called the State of Texas, with a republican form of government, to be adopted by the people of said republic, by deputies in convention assembled, with the consent of the existing government, in order that the same may be admitted as one of the States of this Union." Texas Br. 226.	Gulf of Mexico	Boundary	"On the 6th day of March last, the Mexican Envoy made a formal protest, against the joint resolution passed by Congress, 'for the annexation of Texas to The United States.' He was informed that the Government of The United States did not consider this joint resolution as a violation of any of the rights of Mexico, or that it afforded any just cause of offence to his Government; that the Republic of Texas was an independent Power, owing no allegiance to Mexico, and constituting no part of her territory or rightful sovereignty and jurisdiction. . . . ". . . Texas had declared her independence, and maintained it by her arms for more than 9 years. She has had an organized Government in successful operation during that period. Her separate existence as an independent State had been recognized by The United States and the principal Powers of Europe." Polk's 1st Annual Message. House Exec. Doc. 2, 29th Cong. 1st Sess. 5.
1845 (Mar. 3)	Florida Statehood Act "Sec. 5. And be it further enacted, That said State of Florida shall embrace the territories of East and West Florida, which by the treaty of amity, settlement and limits between the United States and Spain, on the twenty-second day of February, eighteen hundred and nineteen, were ceded to the United States." 5 Stat. 742.	Gulf of Mexico	Boundary	"An Act for the admission of the States of Iowa and Florida into the Union."
1845 (Nov. 10)	Secretary of State Buchanan's Instructions to John Slidell ". . . it is necessary briefly to state what, at present, are the territorial rights of the parties. "The Congress of Texas, by the act of December 19, 1836, have declared the Rio del Norte, from its mouth to its source, to be a boundary of that republic." House Ex. Doc. 69 30th Cong. 1st Sess. 33-43.	Gulf of Mexico	Boundary	". . . The fact is but too well known to the world, that the Mexican government are not now in a condition to satisfy these claims by the payment of money. Unless the debt should be assumed by the government of the United States, the claimants cannot receive what is justly their due. Fortunately, the joint resolution of Congress, approved 1st March, 1845, 'for annexing Texas to the United States,' presents the means of satisfying these claims, in perfect consistency with the interests, as well as the honor of both republics. It has reserved to this government the adjustment of all questions of boundary that may arise with other governments.' This question of boundary may, therefore, be adjusted in such a manner between the two republics as to cast the burden of the debt due to American claimants upon their own government, whilst it will do no injury to Mexico."

Evidence Cited By The Solicitor General

Year	Event	Area Involved	Subject Matter	Purpose	Comment
					Not one word of objection was raised to the Texas 3-league seaward boundary. The only boundaries then in controversy were the western boundaries, which were settled (a) by the war with Mexico and the Treaty of Guadalupe Hidalgo and (b) by the compromise of 1850 in which the United States paid Texas \$10,000,000 for her relinquished claims to New Mexico.
					This Act referred to the territories of East and West Florida, so designated since the Proclamation of George III in 1763.
					Slidell tried unsuccessfully to negotiate an offset of American citizens' claims against Mexico with the Mexican claims to the territory between the Nueces and the Rio Grande Rivers.

Evidence Cited By Gulf States					Evidence Cited By The Solicitor General					
Year	Event	Area Involved	Subject Matter	Purpose	Year	Event	Area Involved	Subject Matter	Purpose	Comment
845 Dec. 2)	President Polk's 1st Annual Message "The terms of annexation which were offered by The United States having been accepted by Texas, the public faith of both parties is solemnly pledged to the compact of their union." House Exec. Doc. 2, 29th Cong., 1st Sess. 4.	Gulf of Mexico	Boundary							No question as to the Texas 3-league boundary was raised.
845 Dec. 0)	Joint Resolution Admitting Texas "Whereas the Congress of the United States, by a joint resolution approved March the first, eighteen hundred and forty-five, did consent that the territory properly included within, and rightfully belonging to, the Republic of Texas, might be erected into a new State, to be called The State of Texas, . . . . "Resolved . . . That the State of Texas shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever." 9 Stat. 108.	Gulf of Mexico	Boundary							The Texas 3-league boundary was not questioned at time of final act of admission.
846 May 1)	President Polk's War Message "Meantime Texas, by the final action of our Congress, had become an integral part of our Union. The Congress of Texas, by its act of December 19, 1836, had declared the Rio del Norte to be the boundary of that republic." House Exec. Doc. 60, 30th Cong. 1st Sess. 5.	Gulf of Mexico	Boundary	"In further vindication of our rights, and defence of our territory, I invoke the prompt action of Congress to recognize the existence of the war, and to place at the disposition of the Executive the means of prosecuting the war with vigor, and thus hastening the restoration of peace. . . ." House Ex. Doc. 60, 30th Cong. 1st Sess. 4-10.						The highest act of foreign policy is war. The United States went to war to protect a portion of the Texas boundary.
846 Dec. 8)	President Polk's 2nd Annual Message "The Congress of Texas on the 19th of December, 1836, passed 'an act to define the boundaries of the Republic of Texas,' in which they declared the Rio Grande from its mouth to its source to be their boundary, and by the said act they extended their 'civil and political jurisdiction' over the country up to that boundary. . . . This was the Texas, which by the act of our Congress of the twenty-ninth of December, 1845, was admitted as one of the States of our Union." House Exec. Doc. No. 4, 29th Cong., 2nd Sess. 483.	Gulf of Mexico	Boundary							President Polk again refers to the 1836 Act as defining "the Texas" annexed in 1845.

Evidence Cited By Gulf States					Evidence Cited By The Solicitor General				
Year	Event	Area Involved	Subject Matter	Purpose	Year	Event	Area Involved	Subject Matter	Purpose
1847 (Apr. 15)	Secretary of State Buchanan's Instructions to Nicolas Trist, U. S. Peace Commissioner "You are herewith furnished with a Projet of a Treaty (marked A,) . . . ". . . Should a Mexican Plenipotentiary meet you, duly authorized by his government to conclude a Treaty of Peace, you will, after a mutual exchange of your full powers, deliver him a copy of this Projet. . . . A PROJET. . . . . Article IV "The boundary line between the two Republics shall commence in the Gulf of Mexico three leagues from the land opposite the mouth of the Rio Grande, from thence up the middle of that river." 7 Works of Buchanan, 271, 276.	Gulf of Mexico	Boundary	"He [the President] deems it proper, not withstanding, to send to the Head Quarters of the Army a confidential agent fully acquainted with the views of this Government and clothed with full powers to conclude a Treaty of Peace with the Mexican Government, should it be so inclined. . . ."					
1847 (July 19)	Secretary of State Buchanan's Instructions to Mr. Trist "You will, therefore, in the copy of the projet of a Treaty which you are instructed to present to the Mexican Plenipotentiary, if this be not too late, substitute the following, instead of the 4th article. Article IV "The boundary line between the two Republics shall commence in the Gulf of Mexico Three leagues from land, opposite the mouth of the Rio Grande, from thence up the middle of that river." 7 Works of Buchanan 368-369.	Gulf of Mexico	Boundary						
1847	Nicolas Trist's Statement as to His Instructions "[As] said object stands in said instructions, specifically stated and expressed, it was the object of prevailing upon Mexico 'to agree that the line shall be established along the boundary defined by the Act of Congress of Texas, approved December 19, 1836, to-wit: beginning at the mouth of the Rio Grande; thence up the principal stream of said river. . . .'" 33 Trist Papers, Misc. 62071; Texas Br. 102.	Gulf of Mexico	Boundary						
1848 (Feb. 3)	Treaty of Guadalupe Hidalgo "The boundary line between the 2 Republics shall commence in the Gulf of Mexico, 3 leagues from land, opposite the mouth of the Rio Grande, otherwise called Rio Bravo del Norte, or opposite the mouth of its deepest branch, if it should have more than one branch emptying directly into the sea; from thence up the middle of that river, . . . ." 9 Stat. 922.	Gulf of Mexico	Boundary						
									This treaty draft follows the wording of the 1836 Texas Act.
									The western segment of the proposed boundary was altered by this instruction, but not the Gulf 3-league end.
									Here is Trist's own Statement.
									The Government admits this treaty is still in effect and establishes this as the boundary line.



Evidence Cited By Gulf States					Evidence Cited By The Solicitor General					
Year	Event	Area Involved	Subject Matter	Purpose	Year	Event	Area Involved	Subject Matter	Purpose	Comment
					1848	Secretary of State Buchanan's Reply to the British Protest "In answer, I have to state, that the stipulation in the treaty can only affect the rights of Mexico and the United States. If for their mutual convenience it has been deemed proper to enter into such an arrangement, third parties can have no just cause of complaint. The Government of the United States never intended by this stipulation to question the rights which Great Britain or any other Power may possess under the law of nations." 8 Works of James Buchanan, 175.	Gulf of Mexico	Boundary	"The Bill for the appointment of a Commissioner and Surveyor to run and mark the boundary line under the 5th article of the Treaty with Mexico, after having passed the Senate, was lost in the House for want of time and amidst the pressure of business which always attends the close of a session. Congress will, beyond question, pass this Bill very early in December, next, and it is the desire of the President to carry into execution this article of the Treaty with the least possible delay. . . .  "The British Government have objected to that clause of the late Treaty by which it is declared that 'the boundary line between the two Republics shall commence in the Gulf of Mexico, three leagues' [instead of one] 'from land, opposite the mouth of the Rio Grande.' To this I shall answer civilly, that the stipulation can only affect the rights of Mexico and the United States, and for this reason third parties can have no just cause of complaint." Letter Buchanan to Mr. Clifford, U. S. Minister to Mexico, 8 Works of Buchanan, 172.	It seems clear that Mr. Buchanan was neither admitting nor denying the rights asserted by Great Britain. The treaty was not altered. The boundary line was run. The British did not renew their protest.
					1849	Secretary of State Buchanan to Mr. Jordan "Neither our Minister to London, who has always been vigilant in asserting the rights of our country, nor our Consul at Cork, nor the master of the American vessel N. O. Chase, on board of which the arrest was made, has ever addressed the Department a line upon the subject. The presumption, therefore, is that the arrest took place in British waters and within exclusive British Jurisdiction. It this be the case, however much we may condemn the act, we have no right, in an international point of view, to demand redress for it under the law of nations. By this code it is well settled that the exclusive jurisdiction of a nation extends to the ports, harbors, bays, mouths of rivers, and adjacent parts of the sea enclosed by headlands; and, also, to the distance of a Marine league, or as far as a cannon shot will reach, from the shore along all its coasts." VIII Moore, The Works of James Buchanan 291.	Port in Ireland	Arrest on American Vessel	Secretary Buchanan continued in the immediately succeeding sentence: "If Mr. McManus were arrested within these limits, on board of an American merchant vessel, by virtue of process issuing from a competent British authority, we have no right, to demand redress either under the law of nations, or by virtue of any treaty existing between the two Countries."	Consul J. Murphy, at Cork, Ireland, wrote Mr. Buchanan on March 7, 1849, in part as follows: ". . . the Barque 'N. D. Chase' arrived here from Philadelphia and discharged her cargo, she then took in Emigrants to proceed back to the United States, one of these passengers was Mr. McManus who was arrested by the Sergeant of Police, while the vessel was lying at anchor in this harbor in exclusive British jurisdiction."

Evidence Cited By Gulf States					Evidence Cited By The Solicitor General						
Year	Event	Area Involved	Subject Matter	Purpose	Year	Area Involved	Subject Matter	Event	Purpose	Comment	
1850	Compromise of 1850 "Be it enacted . . . That the following propositions shall be, and the same hereby are, offered to the State of Texas. . . "First. The State of Texas will agree that her boundary on the north shall commence . . . thence on the said parallel of thirty-two degrees of north latitude to the Rio Bravo del Norte, and thence with the channel of said river to the Gulf of Mexico." 9 Stat. 446.	Western Land Boundary	Boundary	"An Act proposing to the State of Texas the Establishment of her Northern and Western Boundaries, the Relinquishment by the said State of all Territory claimed by her exterior to said Boundaries, and of all her claims upon the United States, and to establish a territorial Government for New Mexico."						This act related only to the Northern and Western Boundary of Texas. Still there was no comment or objection to the 3-league boundary on the Gulf.	
1853	Gadsden Treaty "The Mexican Republic agrees to designate the following as her true limits with The United States for the future: retaining the same dividing line between the 2 Californias as already defined and established, according to Article V of the Treaty of Guadalupe Hidalgo, the limits between the 2 republics shall be as follows: Beginning in the Gulf of Mexico, 3 leagues from land, opposite the mouth of the Rio Grande, as provided in Article V of the Treaty of Guadalupe Hidalgo; thence, as defined in the said Article, up the middle of that river." 10 Stat. 1031.	Gulf and Western Boundary	Boundary	Treaty of Boundary							
					1855		Secretary of State Marcy's Letter to Spanish Minister "That case is to be decided with reference to the existing rule of international law on the subject. That rule by very general consent establishes the distance of a marine league from land as the exterior limit of the jurisdiction of a country over the waters along its coasts, with exceptions as to bays, harbors, shoals, etc." Gov't. Br. 67.	Cuban Gulf Waters	Territorial Limits	Mr. Marcy continued: "The United States will never concede that in the thoroughfares of commerce between Cape St. Antonio and the Yucatan shore, or between the Keys of Florida and the Cuban coast the territorial waters of Spain extend eight miles from land or any distance beyond cannon shot or a marine league.—Considering the vast amount of property transported over these thoroughfares it is of the greatest importance to the interests of commerce that the extent of the Spanish claim to jurisdiction in these two straits—for such they may be called—should be accurately understood."	William Marcy was Secretary of State when the Gadsden Treaty was signed and ratified. The British noted this notion of a maximum limit was a new 1855 idea of Marcy. See Joint Rep. Br. 30.

Evidence Cited By Gulf States				Evidence Cited By The Solicitor General						
Year	Event	Area Involved	Subject Matter	Purpose	Year	Event	Area Involved	Subject Matter	Purpose	Comment
					1862	Secretary of State Seward's Letter to Spanish Minister	Cuban Gulf Waters	Territorial Limits	Mr. Seward in the immediately succeeding sentence said: "The United States admit that they have a temporary interest (during the present insurrection) to maintain a broad freedom of the seas, so as to render their naval operations as effective as may be consistent with the Law of Nations."	This Civil War policy is placed in clear prespective by Mr. Seward in his letter of August 14, 1863 to Mr. Perry, U.S. Minister to Spain in which he said in part: "The United States, under ordinary circumstances, could not, so far as I am able to judge, have any special interest in denying to Spain the claim she makes of a maritime jurisdiction exceeding three miles around the island of Cuba, or elsewhere. But upon that question we stand upon a ground which is held by us in common with all the maritime states. The present moment is an unfortunate one, to expect us to surrender on our part a right which they are understood to maintain equally with ourselves." U.S. Diplomatic Correspondence, 1865, part 2, 905.  Note also that the whole tenor of Mr. Seward's letter of December 16, 1862 shows that he recognized that uncertainty as to the extent of sovereign jurisdiction still existed.
						"A third principle bearing on the subject is also well established, namely, that this exclusive sovereignty of a nation, thus abridging the universal liberty of the seas, extends no farther than the power of the nation to maintain it by force, stationed on the coast, extends. This principle is tersely expressed in the maxim Terrae dominium finitur ubi finitur armorum vis.				
						"But it must always be a matter of uncertainty and dispute at what point the force of arms exerted on the coast can actually reach. The publicists rather advanced towards than reached a solution when they laid down the rule that the limit of the force is the range of a cannon ball. The range of a cannon ball is shorter or longer according to the circumstances of projection, and it must be always liable to change with the improvements of the science of ordnance. Such uncertainty upon a point of jurisdiction or sovereignty would be productive of many and endless controversies and conflicts. A more practical limit of national jurisdiction upon the seas was indispensably necessary, and this was found, as the Undersigned thinks, in fixing the limit at three miles from the coast. This limit was early proposed by the publicists of all maritime nations. While it is not insisted that all nations have accepted or asquiesced and bound themselves to abide by this rule, when applied to themselves, yet three points involved in the subject are insisted upon by the United States, first, that this limit has been generally recognized by nations, second, that no other general rule has been accepted, and third, that if any State has succeeded in fixing for itself a larger limit, this has been done by the exercise of maritime power, and constitutes an exception to the general understanding which fixes the range of a cannon shot, (when it is made the test of jurisdiction,) at three miles . . .				
						"Impressed by these general views, the United States are not prepared to admit that Spain, without a formal concurrence of other nations, can exercise exclusive sovereignty upon the open sea beyond a line of three miles from the coast, so as to deprive them of the rights common to all nations upon the open sea." Gov't. Br. 68-69.				

Evidence Cited By Gulf States				Evidence Cited By The Solicitor General						
Year	Event	Area Involved	Subject Matter	Purpose	Year	Event	Area Involved	Subject Matter	Purpose	Comment
					1863	Secretary of State Seward to Navy Secretary Wells "The stipulation in the treaty of Guadalupe Hidalgo by which the boundary between the United States was begun in the Gulf three leagues from land is still in force. It was intended, however, to regulate within those limites the rights and duties of the parties to the instrument only. It could not affect the rights of any other power under the law of nations." Gov't. Br. 70.	Gulf of Mexico	Mexico Boundary		This shows that Mr. Seward regarded the boundary provisions of the Treaty of Guadalupe Hidalgo as fully effective despite what he had written to the Spanish minister.
					1864 (Mar. 5)	Navy Secretary Welles to Mr. Seward "I do not understand our government to claim * * * the right to exercise exclusive jurisdiction to the extent of more than a marine league from our coast." Gov't. Br. 70.	Gulf of Mexico	Territorial Limits	"With respect to the point last mentioned, any misapprehension which exists may have arisen partly from what may have been an inadvertence, analogous to a clerical error, in the treaty with Mexico, and partly to our municipal law, under which merchant vessels bound to the United States may be boarded by the revenue officers when within four leagues of our coast. Other nations have similar municipal laws, which are to be regarded merely as prescribing the conditions on which trade is permitted." Gov't. Br. 70-71.	It is apparent that Secretary Welles was merely making a gratuitous observation not based on any research as to the history of the Treaty of Guadalupe Hidalgo.
					1864 (July 2)	Secretary Seward to U.S. Minister to France "I approve of your instructions to Captain Winslow. It will be proper for you, nevertheless, while informing M. Drouyn de l'Huys that I do so in a spirit of courtesy towards France, to go further, and inform him that the United States do not admit a right of France to interfere with their ships-of-war at any distance exceeding three miles." Exec. Doc. 1, Pt. III, 38th Cong. 2d Sess. 120-121.	English Channel	Beligerant Action off French Coast	The letter continues: "Especially must we disallow a claim of France so to interfere in any conflict that we find it necessary to wage in European waters with piratical vessels like the Alabama, built, armed, manned, and equipped, and received as a belligerent in opposition to our persistent remonstrances to commit depredations on our commerce."	This correspondence shows its war-dominated motive. There is no calm consideration of boundary problems.

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Involved Subject	Matter Area
1. <u>Mathematics</u>	1. <u>Algebra</u>
2. <u>Science</u>	2. <u>Physics</u>
3. <u>History</u>	3. <u>World History</u>
4. <u>Language Arts</u>	4. <u>Reading Comprehension</u>
5. <u>Physical Education</u>	5. <u>Health</u>
6. <u>Art</u>	6. <u>Visual Arts</u>
7. <u>Music</u>	7. <u>Music Theory</u>
8. <u>Foreign Languages</u>	8. <u>Spanish</u>
9. <u>Computer Science</u>	9. <u>Programming</u>
10. <u>Environmental Studies</u>	10. <u>Environmental Science</u>
11. <u>Business</u>	11. <u>Business Math</u>
12. <u>Health Sciences</u>	12. <u>Nursing</u>
13. <u>Engineering</u>	13. <u>Engineering Math</u>
14. <u>Psychology</u>	14. <u>Psychology</u>
15. <u>Social Studies</u>	15. <u>Social Studies</u>
16. <u>Law</u>	16. <u>Law</u>
17. <u>Political Science</u>	17. <u>Political Science</u>
18. <u>Economics</u>	18. <u>Economics</u>
19. <u>Philosophy</u>	19. <u>Philosophy</u>
20. <u>Religion</u>	20. <u>Religion</u>
21. <u>Education</u>	21. <u>Education</u>
22. <u>Healthcare</u>	22. <u>Healthcare</u>
23. <u>Technology</u>	23. <u>Technology</u>
24. <u>Environmental Science</u>	24. <u>Environmental Science</u>
25. <u>Business Administration</u>	25. <u>Business Administration</u>
26. <u>Healthcare Administration</u>	26. <u>Healthcare Administration</u>
27. <u>Engineering Technology</u>	27. <u>Engineering Technology</u>
28. <u>Psychology</u>	28. <u>Psychology</u>
29. <u>Social Work</u>	29. <u>Social Work</u>
30. <u>Law Enforcement</u>	30. <u>Law Enforcement</u>
31. <u>Political Science</u>	31. <u>Political Science</u>
32. <u>Economics</u>	32. <u>Economics</u>
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95. <u>Business Administration</u>	95. <u>Business Administration</u>
96. <u>Healthcare Administration</u>	96. <u>Healthcare Administration</u>
97. <u>Engineering Technology</u>	97. <u>Engineering Technology</u>
98. <u>Psychology</u>	98. <u>Psychology</u>
99. <u>Social Work</u>	99. <u>Social Work</u>
100. <u>Law Enforcement</u>	100. <u>Law Enforcement</u>

Comment

The Court, in *In Re Cooper*, 143 U. S. 472, recognized that the Executive and the Congress had made that determination.

Mr. Seward was still Secretary of State, was in Washington, and was in frequent contact with members of both House and Senate while approval was being considered. Yet he made no protest of this Gulfward boundary article as violating the foreign policy of the United States.