

the earth, and *subdue it*." Now, the just construction of this command, accompanied with a blessing, is, that our great progenitor, and his posterity, should *subdue the earth*; should turn the subsequent curse into a blessing; should overthrow the "thorns, also, and the thistles," and with the sweat of their face should eat their bread, and earn it too; should bring into subjection and under the dominion of Adam's posterity, that ground that was cursed for his sake. But the idea which my honorable friend seems to have is, that these women, and children, and Chinese, must *subdue* the people already there.

But although, Mr. Chairman, this *inactivity*-policy was doubtless our true policy, it is no longer so. Although *precipitancy*, of all things, is to be most avoided, any long *delay*, in settling this question, is exceedingly dangerous; we wish no *hasty* action, and as little any long postponement of the question. The difficulty in question should be at once compromised—negotiations ought to be resumed. I care not by whom the proposition to resume the negotiation is first made. So long as the real honor of the country is not compromised, it is unmanly trifling, for either party to risk a war upon some punctilio of diplomatic ceremony, as to who is to make the first advance toward negotiation and peace.

In the present excited state of the public mind, there is serious danger that the question, if left open and unsettled, will inevitably lead to a collision between the two Governments. It will, in the first instance, lead to a collision in Oregon; and we all know that in case of such a collision, the death of one person, as surely as the death of one hundred, would lead, in all probability, to a war.

That this result will almost certainly follow from delay, let us look with some care at the existing laws of G. Britain in relation to this territory, and the proposed legislation of Congress of precisely the same character. I consider this question of quite as much importance as the question of notice, and intimately connected with it.

It is a somewhat singular fact, that the nature and provisions of the English laws on this subject have been misconceived in the various discussions and negotiations heretofore had. It has been taken for granted that the English statute of 1821, 1 and 2 Geo. 4th, extended only to British subjects; and that American citizens, either by express exception or impliedly, were excluded from the operations of the law. The President himself, in his annual message, observes:

"They are anxious that our laws should be extended over them, and I recommend that this be done by Congress with as little delay as possible, in the full extent to which the British Parliament have proceeded in regard to *British subjects in that territory*, by their act of July the second, 1821, "for regulating the fur trade, and establishing a criminal and civil jurisdiction within certain parts of North America." By this act, *Great Britain extended her laws and jurisdiction, civil and criminal, over her subjects engaged in the fur trade in that territory*. By it, the courts of the province of Upper Canada were empowered to take cognizance of causes civil and criminal. Justices of the peace and other judicial officers were authorized to be appointed in Oregon, with power to execute all process issuing from the courts of that province, and to "sit and hold courts of record for the trial of criminal offences and misdemeanors," not made the subject of capital punishment; and also of civil cases, where the cause of action shall not "exceed in value the amount or sum of two hundred pounds."

It is not, however, the fact, that the act of the British Parliament of 1821, or a preceding act of 1803, 43, Geo. 3d, is confined to British subjects. On the contrary, *Great Britain now exercises exclusive sovereignty over Oregon. All the inhabitants of the territory are subjected to British laws and to be tried by British tribunals*. There is nothing in the statutes of