

cratic party who have spoken in favor of giving this notice, have generally affirmed the goodness of our title to 50° 40' north, but have contented themselves with the evidence of that fact furnished by the Baltimore resolutions and the President's inaugural speech, without further inquiry. Those of the same party who oppose the notice, perhaps with a prudent fear of such high authority, have contented themselves with the expression of a desire to acquire "all Oregon," and pointing out their mode of consummating that object, without the expression of any opinion upon the present rights of the country. My Whig friends who oppose the notice, have also shown an indisposition to encumber their position with any expression of opinion as to title. They too are for "all Oregon," but when and how it is to be obtained is left in convenient ambiguity.

Both the British and American diplomatists have rather directed their arguments each against the title of his adversary, than in the support of their own. The reason of this may be found in the fact that it is much easier to show who has not title in Oregon than who has. Test the title of both countries by the principles of international law, and both are exhibited before the world in the ridiculous attitude of quarrelling about that which belongs to neither, but is as yet the common property of mankind. And here lies the whole difficulty of the negotiation; so long as it shall be regarded as a question of title, an amicable adjustment is impossible.

I have not been able to bring my mind to the conclusion, that our title to the whole, or any part of Oregon, is either "clear or unquestionable." And I shall proceed to give briefly the facts and reasoning upon which my opinion is founded. The facts are few, and not obscure; they are generally admitted by the advocates of both sides of the question. That part of the northwest coast of America now called Oregon was undoubtedly first discovered by the Spaniards. These discoveries began with Juan de Fuca, in 1592, and were followed by other Spanish navigators, at different periods, up to 1774 and 1776, when the whole coast was carefully explored by Perez and Haceta. Spain claimed title to it by virtue of these discoveries, and performed various acts of "taking possession," according to the usages of the times, long before this coast was visited by the navigators of any other civilized country. This claim of title, not being acquiesced in, never ripened into a title by prescription, and it was inchoate and imperfect until completed by actual "settlement." "Settlement" is necessary to perfect a title by discovery, according to the most generally received authorities upon international law. And the principle appears to me to be a sound one. It is founded in natural equity. That which has no owner, natural equity

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