

John Adams

# SPEECH OF MR. DIX OF NEW YORK,

ON THE

RESOLUTION GIVING THE TWELVE MONTHS' NOTICE FOR THE TERMINATION  
OF THE JOINT OCCUPANCY OF THE OREGON TERRITORY.

DELIVERED IN THE SENATE OF THE UNITED STATES, FEBRUARY 18 & 19, 1846.

Mr. DIX rose and proceeded to address the Senate on the special order of the day. He said:

In entering into the debate on the question under consideration, I feel constrained to differ in opinion with two distinguished senators who have preceded me, in relation to the manner in which the discussion should be conducted. I allude to the senator from Ohio, [Mr. ALLEN], who opened the debate, and the senator from Delaware, [Mr. CLAYTON], who followed him. Both took the ground, and with equally strong language, that the title to Oregon ought not to be drawn into this discussion, but for totally different reasons—the senator from Ohio, because the time for discussing it had gone by, and the senator from Delaware, because the time for discussing it had not arrived. With the unfeigned respect which I entertain for both senators, I dissent from their opinions with great diffidence of my own. But I am constrained to regard the question of our rights in Oregon, as one on which the propriety of the measures proposed peculiarly and eminently depends. What is the proposition before the Senate? It is to give to Great Britain the notice of twelve months, by virtue of which the treaty between her and the United States, stipulating that the territory of Oregon shall be free and open to the people of both countries, is to be abrogated and annulled. We cannot disguise the fact, that this is a measure of the most decided character, and involving the most important consequences. What is it, sir, but a declaration that the territory of Oregon, after the expiration of twelve months, shall no longer be open to the subjects of Great Britain? It is the first step towards the assertion of our right of empire and domain in Oregon. I can see it in no other light. I shall support it. But I cannot assent to the propriety of adopting a measure of such magnitude without saying a single word in illustration of our title to the territory, over which we are thus preparing to assert our paramount rights. I do not feel at liberty to take such a step, denying summarily all right in others, or abstaining from the assertion of any right in ourselves.

I propose, therefore, as a preliminary of action on my own part, to look at our title to Oregon—not for the purpose of defining it with critical precision, but so far as to state the general grounds on which it rests. And I am disposed to take this course, not only with a view to justify the vote I intend to give, but for the further purpose of correcting extreme misconceptions, both at home and abroad, on a few points of vital consequence. No purely American question has, perhaps, excited a stronger interest in other countries; and I doubt whether any other has been so greatly misrepresented. The same misapprehensions exist at home. The public press, for the last few weeks, has been teeming with essays disparaging the Spanish title, on which our own, in some degree, rests. I am unwilling either to pass by these statements in silence, or to meet them with summary declarations of right. It is natural that senators, who have been long on this floor, and who have already borne a part in the discussion of this question, should feel differently. But for myself, having never

even listened to a debate on the subject—a subject until recently entirely new to me—I feel bound to state the grounds on which I act. This is what I propose to do—not by the analysis of any particular treatise, or by the examination of any particular view of the subject—but by exhibiting some of the historical facts on which the Spanish title and our own rest. I shall endeavor to perform this duty in the plainest manner, adhering rigidly to the subject, and, if possible, without addressing a single word to prejudice or passion.

The region which now constitutes the territory of Oregon was seen, and a part of its coast reconnoitred—I will not say explored—half a century after the discovery of America. In consequence of its remoteness from the course of trade which was opened by the voyages of Columbus, the supposed rigor of its climate, and the certainty derived from the expeditions sent out from Mexico, that it contained no sources of wealth like those by which Spain had been enriched in the more southern portions of this continent, it remained, for more than two centuries and a half, without any permanent settlement by civilized men. During this long period, Spain constantly asserted her right of proprietorship in it by virtue of discovery, and had formed temporary establishments in its neighborhood from time to time. During the half century which succeeded, it was frequently visited by ships of other nations, by accident, for purposes of exploration, or for objects of commerce, and thus there arose a number of claimants to the right of sovereignty and domain. The claims of Russia have been adjusted with Great Britain. She holds, by the acquiescence of the latter, the whole northwest coast of America north of latitude 54° 40', as far back as the first range of highlands; and by virtue of a convention with the United States, we have agreed to form no settlements north of that parallel. The southern line of Oregon we hold to be fixed, by the settlement of the boundary line between the United States and Mexico, at 42°. The territory in dispute has, therefore, a coast of twelve parallels and two-thirds of latitude, running back into the interior to the Rocky mountains; and the United States and Great Britain are the only claimants to the right of proprietorship in it.

Before I proceed to examine their respective claims, it may be proper as the subject has been referred to on this floor, briefly to state the conditions, under which, by the usage of nations, a right of property in lands uninhabited, or occupied by wandering tribes, may be acquired.

The basis usually relied on to support a right of this nature is discovery; but it is a ground of title which becomes untenable, unless followed by an actual occupation of the discovered territory. If a title is not perfected by occupation, a second discoverer may appropriate the territory thus neglected by the first. But this must be upon reasonable evidence of the intention of the first discoverer not to take possession of it. If a second discoverer were to seize upon and appropriate the discovered territory, before the first had time to form an estab-