

the British occupants of San Juan. Our right to that and the neighbouring islands, under the Treaty, we assert to be as clear as the sun at noonday. We see no shadow of claim of Great Britain for these islands, and we denounce as an intrusion the late acts of the British residents, and particularly the British authorities of Vancouver's Island and the British naval officers.

"The history of the Oregon controversy need not be revived. The undue magnanimity of our Government in yielding, for the sake of peace, our title to the territory north of the 49th degree—the surrender of Vancouver's Island and Queen Charlotte's Island, which naturally would have come to us by the Law of Nations under the recognized doctrine 'that islands are appurtenant to a continent,' should at least have been respected by Great Britain, without setting up the ridiculous claim in regard to the construction and meaning of the words of the Treaty of 1846, defining our North-west boundary. The language of that Treaty leaves no room for misconstruction or doubt:—'The line of boundary shall be continued westward along the 49th parallel of north latitude to the middle of the channel which separates the continent from Vancouver's Island, and thence southerly through the middle of said channel and of Fuca's Straits to the Pacific Ocean.' That section of the Treaty, instead of running the 49th parallel due west to the Pacific Ocean, had no other intent or meaning than to give to Great Britain all of Vancouver's Island and the small islands lying immediately adjacent thereto, appurtenances, if we may use the expression, of said Vancouver's Island, and which laid west of said middle channel. And here, without referring to the map or geography of the Gulf of Georgia, we might rest our case; but that comes to our support, and a reference to that establishes, beyond the possibility of a doubt, the preposterous and egregious folly of the claim trumped up by Great Britain. Adopt the Straits of Rosario as the boundary, the line is lengthened—it becomes crescentic, and runs in every direction—in fact more easterly than southerly; whilst a southerly line carries us naturally through the Canal de Haro, and leaves to the east the Archipelago, which, by a fair construction of the Treaty, is indisputably ours. But take another view of the case, and admit that the term 'channel' is a word which can here be a subject of difference and doubt—the Treaty saying the 'channel,' and there being two channels, then the question is solved even more clearly in our favour—not only from its directness of course, but by the amount of water. If the terms 'the channel' mean the main channel, then the Canal de Haro—lying next adjacent to Vancouver's Island, almost a direct south line from the point constituting the west termination of the 49th parallel, used as a north boundary, having much the largest body of water, as settled by all the hydrographic parties who have examined it—is the channel through which the boundary line, by the terms of the Treaty, must run; and the American side of the question is the only tenable one consistent with good sense, right reason, and a fair construction of language.

"Over this land we have heretofore exercised territorial jurisdiction. While this territory was still a part of Oregon, in the winter of 1852-53, the Legislature created the county of Island, clearly defining its western boundary to be the Canal de Haro. That act, then a matter for the approval of the national Congress, is still in force, for Congress never disapproved it, and hence it is notice of our occupancy to the whole world. In 1854 the Legislative Assembly of the Territory of Washington, in creating the county of Whatcom, reasserted the same position, and established the west boundary of that county in the middle of the Canal de Haro; and till now the islands in dispute have been a part of our territory, included in that county—and never has this act been disapproved of by Congress (which has the authority to disapprove of our territorial legislation), nor by any officer of our Government. But another fact still more important, has been the creation of the office of Inspector of Customs for that island, and his official action there since the establishment of Port Townsend as the port of entry for his collection district.

"Within the past few weeks our military have occupied it, and by order of General Harney a military post has been established there. Our