

ica! We answer, No. Spain never was in possession of Oregon; and, whatever debatable title she might have previously had, she distinctly and irrevocably resigned it by the stringent conditions of the Nootka Convention in 1790. From that moment Spain relinquished her claims forever; Great Britain immediately afterwards took possession of the country, and the Spanish flag has never, from that day to this, appeared off the Oregon coast. It is impossible to imagine a clearer case. The Spanish title is not merely defective but non-existent. Spain had no title after 1790.

Even M. Mofras, in his work on Oregon and California, which betrays all throughout a spirit of malignant hostility against England, is reluctantly compelled to admit that the Florida Treaty gave the United States no rights whatever in Oregon. He says that it could not be construed to invalidate the convention of 1790, that it constitutes a simple renunciation, and that the Americans ought to respect the rights which were previously recognized by Spain as existing in the English. "If we had now," he adds, "to give an opinion upon this important question, we should, in spite of our sympathies for the United States, and our aversion against the aggressive system of the English, be compelled to acknowledge that reason and right are this time on their side. We are even astonished that, foregoing their habitual tenacity, they should have made, in the course of their negotiations, such large sacrifices to the Americans." Every impartial and honorable mind must feel the reluctant justice of these observations, and acknowledge, as frankly as M. Mofras, that no title can be sustained through the Treaty of Florida.

Conscious, no doubt, of this insuperable difficulty, America endeavors to make out her claim upon other grounds, as well as upon the Florida treaty—grounds which are so signally contradictory of each other, as to annihilate her claim altogether. For if her claim be rightful on any one of these grounds, it is untenable on the others, and *vice versa*; and, as it is needless to insist upon an adherence to some clear principle in the conduct of such negotiations, we are content to submit these grounds, without a syllable of commentary, to the common sense of the world.

She claims, first, through Gray's discovery of the Columbia. If that claim be good, it vitiates at once all claim through the purchase of Louisiana from France, and through treaty with Spain; for neither France nor Spain could confer upon America that which already belonged to America.

She claims, next, through the purchase of Louisiana from France, which purchase rested upon a cession from Spain to France. If that claim be good, Spain must have ceded the Oregon territory to France, which she not only declared she had not done, but which she could not have done if America had previously acquired that territory through Gray's discovery.

She next claims by virtue of occupancy in 1814, although that occupancy was chiefly carried out by an English company, and was relinquished by a regular deed of sale.

And she finally claims under the Florida treaty of 1819, by cession from Spain. This is the title that stultifies all the rest. For if the treaty of 1819 be alleged as conferring any title, then the pretensions to a title arising from occupancy in

1814 must have been wholly without foundation. If, on the other hand, America relies upon her title of 1814, she cannot go to Spain for a title in 1819. She is in this dilemma—either that her pretensions in 1814 were false, and that, consequently, the "occupation" of the Columbia by Great Britain was rightful, as against her; or that, claiming under the treaty of 1819, her title is limited to the territory lying south of the British settlements on the Columbia, over which Spain could have had no shadow of a right.

We leave America to extricate herself from this dilemma as creditably as she can. But it is sufficiently apparent that she must relinquish her claim altogether, or rest it upon some intelligible basis. She has hitherto resisted every approach to a candid and equitable adjustment with England. Mr. Canning and Mr. Huskisson proposed that a boundary line should be drawn westward along the forty-ninth parallel of latitude, from the Rocky Mountains to the north-easternmost branch of the Columbia river, and thence down the centre of the stream to the sea. This proposition was rejected. All negotiation, with a view to a moderate and amicable adjudication of the respective claims of England and the United States having failed, the convention of 1818 was renewed in 1827, and the provisions, instead of being limited to ten years, were extended to an indefinite period, either party having the right, upon a year's notice, to withdraw from the agreement. In this condition the question remains.

The violent and unstatesmanlike declaration of Mr. Polk, in his inaugural address, has not been serviceable to America in the public opinion of Europe. He thought proper to launch upon the furious tide of the democratic passions which carried him into office a wilful mis-statement, couched in the most offensive language. The bad taste and worse policy of that very foolish proceeding, must recoil upon himself. But we earnestly hope, for the sake of the paramount interests of peace and civilization, that the calmer judgment of the ministers by whom he is surrounded may avert the consequences from his country. He will have time to reflect in the interval before the next meeting of congress, and it is gratifying to observe that nearly the whole press of America in the mean while protests against his conduct. The bill for the occupation of Oregon comes before congress in December. We venture to predict that it will be thrown out; simply because it cannot be carried without involving the United States in a war with England; and there are three sound reasons why America cannot go to war—she has neither men, money, nor credit. No—America will not go to war.

The true policy of America is peace. Washington declared that the moment she committed herself to schemes of aggression and aggrandizement, her power was at an end. She cannot extend her territory without the risk of weakening it. She has not enough of population as it is to defend the shores of the Atlantic in the event of hostilities: by what process of conjuration then can she undertake to occupy and defend territories remote from her own states and difficult of access? If she got possession of Oregon to-morrow, she could not maintain it. Her sovereignty in that distant region could be preserved only by the presence of an imposing force, and by a chain of strong military outposts from the Missouri across the continent to the sea. How is she to