

If Spain did not perfect her title by full and complete occupation, as she did in most of her other colonial possessions on this continent, yet she always insisted upon her rights to the country as the first discoverer, and she watched over the whole Pacific coast with a restless and jealous eye. Her title, if not under the law of nations exclusive, was far better than that of any other nation. The country, if not settled entire, was early occupied in part by her citizens. The convention of 1790, with England, recognised her rights, and by that convention the sovereignty over the territory was to remain in abeyance. The discoveries which England made between 1790 and 1796, when the convention was terminated by a war between Spain and England, could not enure to the sole benefit of England; to that convention the United States were not a party. The discovery by Grey of the mouth of the Columbia, in 1792; the subsequent exploration of the sources of the Columbia, and the vast valley which it drains, by Lewis and Clark, and the settlement by Mr. Astor near the mouth of the river, were made under no treaty or convention which should give the benefit of such discoveries and explorations to an adverse party. They were for the benefit of the United States alone. If you add to these the Spanish title, founded on discovery and partial settlement, and which was fairly purchased, the claim of the United States to the Oregon territory, if it can not be considered exclusive, seems to me to be far better than that of England.

Still, I think it cannot be affirmed, with certainty, that England has no rights. In this opinion I concur with the gentleman from Virginia, (Mr. BAYLY,) who has just taken his seat. If our claim be the best, it does not follow that England has no rights. It does not follow, either in justice or equity, that she has no rights, though our claim may be paramount to hers. Admitting that the rights acquired by England from Spain in 1790 had been abrogated by the subsequent war in 1796, and that the discoveries made between the two periods did not enure to the benefit of England; admitting that the treaty of 1816 revived only the commercial treaties relating to the direct trade between Great Britain and Spain, and not the trade with the Spanish colonies, which is understood to be the construction which the English ministry recently put upon the treaty of 1816, still it does not follow that England has no rights. Such controversies are not to be decided by the strict rules of law which might govern in an action of ejectment between two individuals, where the title to a tract of land is involved; far other and more liberal views should be taken, and far different rules must regulate the actions and decisions of powerful nations.

Nations, in their intercourse with each other, must be *just* if they are not *generous*. If the argument be sound, that we are destined, in the ordinary course of things, to occupy all of North America, how long would it be, after we have planted the American flag, and established American institutions along the line of the 49th parallel, before the residue of the territory would be given to us by that same inevitable destiny? When it shall be ripe for the harvest, the sickle of American institutions can gather it in. As I have said, the time has come for giving the notice; and it seems to me that it will be a measure of peace, especially if accompanied by the suggestion that we are still willing to negotiate for that boundary.

My friend from Pennsylvania (Mr. LEVIN) has said, that this is an American question—a Native American question—and to some extent it may be so. It may be well, while we are debating the question of our destiny—