

find that he described Oregon by degrees of latitude, stated the nature and extent of our right to it, and then the grounds on which those rights were founded. On page 3 of that report he said :

"The validity of the title of the United States to the territory on the northwest coast, between the latitude of 42° to 49°, is not questioned by any power except Great Britain."

Again, on page 6, he said :

"The extent of the territory on the northwest coast, which is properly embraced within our limits, is to be ascertained by the application of the two recognized principles to the established facts of the case. 1st. That the discovery and occupation of the mouth of the river gives title to the region watered by it and its tributaries, as in the case of the Hudson, James, Mississippi rivers, &c. 2d. That the discovery and settlement of a new country by a civilized Power gives title half way to the settlement of the nearest civilized Power. The boundary between them is a medium line. Either of the principles will carry our line as far as 49°."

In this report, Dr. Linn also examines the Spanish title by discovery, and admits that that title was defective, because unaccompanied with any subsequent and efficient act of sovereignty or settlement.

This report was accompanied by a map, and on that map the line of 49° was extended to the Pacific, the country south of the line being marked as the "*territory of Oregon*," and all that above the line as the "*British territory*." There was a note appended to the map stating that the line was so marked because our Government had offered to establish the latitude of 49° as the boundary between us and Great Britain. But this showed the opinion of Dr. Linn to be that the territory of Oregon was the country lying between 42° and 49°.

MR. BREESE. Is there not a note accompanying that map showing why the line was so marked ?

MR. MILLER said he had just stated that fact. Dr. Linn well understood the whole Oregon question. But this was not his opinion alone. His honorable colleague (MR. BENTON) was of the same opinion ; for in 1838 he introduced a resolution into the Senate declaring it to be expedient for the United States to treat with Great Britain on the basis of separating the people in Oregon, and establishing 49° as the permanent boundary between them, in the shortest practicable time. And again, in the debate on the Ashburton treaty, that Senator avowed the same opinion, and still advocated the same basis of 49°.

It is utterly vain for Senators to contend against the accumulated evidence on this point. Our Government, from Mr. Jefferson's to Mr. Polk's administration, had been willing, nay anxious, to settle upon the basis of 49°.

When Mr. Polk came into office on the 4th of March, 1845, he found negotiation between the two Governments pending on the subject of the Oregon territory. He states in his message :

"My attention was early directed to the negotiation, which, on the fourth of March last, I found pending at Washington between the United States and Great Britain, on the subject of the Oregon territory. Three several attempts had been previously made to settle the questions in dispute between the two countries, by negotiation, upon the principle of compromise ; but each had proved unsuccessful."

Again he says :

"When I came into office, I found this to be the state of the negotiation. Though entertaining the settled conviction, that the British pretensions of title