

Historical Note.
1843. 1844.

Her Majesty's Government would be willing to convert into a free port any harbour, either on the mainland or on Vancouver's Island, south of the 49th parallel, which the United States' Government might desire.

Further, if he should think that the extension of the privilege would lead to the final adjustment of the question, he was authorized to declare that Her Majesty's Government would be willing to make all the ports within De Fuca's Inlet and south of the 49th parallel, free ports.

Should these proposals be rejected, he was then to propose that the whole question should be referred to the arbitration of a friendly Sovereign State.

In the event of the United States' Government refusing to agree to arbitration, he was then to propose that the Treaty of 1818-27 should be renewed for a further period of ten years.

In the event of negotiations being broken off, he was then to declare to the United States' Government that Her Majesty's Government still asserted and would maintain an equal right with the United States to the occupation of the whole of the territory in dispute, and that as Her Majesty's Government would carefully and scrupulously abstain and cause Her Majesty's subjects to abstain from any act which might be justly considered as an encroachment on the rights of the United States, so they expected that the Government of the United States would exhibit and enforce on their part an equal forbearance with respect to the rights of Great Britain, which rights, believing them to be just, Great Britain would be prepared to defend.

1844.

In February, 1844, Mr. Pakenham addressed a note to the United States' Secretary of State proposing a renewal of the negotiations, which proposal was favourably received by him.

On 22nd August, Mr. Pakenham received a notification from Mr. Calhoun, then the Secretary of State, that he was prepared to proceed with the negotiation.

At a conference on the 26th, Mr. Pakenham laid before Mr. Calhoun the proposal authorized by his instructions relative to a free port either on the mainland or on Vancouver's Island, south of the 49th parallel.

This proposal was declined by Mr. Calhoun. He afterwards presented a paper (dated September 3) stating his reasons. The paper began thus :—

"The Undersigned American Plenipotentiary declines the proposal of the British Plenipotentiary, on the ground that it would have the effect of restricting the possessions of the United States to limits far more circumscribed than their claims clearly entitle them to. It proposes to limit their northern boundary by a line drawn from the Rocky Mountains along the 49th parallel of latitude to the north-easternmost branch of the Columbia River, and thence down the middle of that river to the sea, giving to Great Britain all the country north, and to the United States all south, of that line, except a detached territory extending on the Pacific and the Straits of Fuca, from Bullfinch's Harbour to Hood's Canal. To which it is proposed in addition to make free to the United States any port which the United States' Government might desire, either on the mainland or on Vancouver's Island south of latitude 49°.

"By turning to the map hereto annexed, and on which the proposed boundary is marked in pencil, it will be seen that it assigns to Great Britain almost the entire region on its north side drained by the Columbia River, and lying on its northern bank. It is not deemed necessary to state at large the claims of the United States to this territory, and the grounds on which they rest, in order to make good the assertion that it restricts the possessions of the United States within narrower bounds than they are clearly entitled to. It will be sufficient for this purpose to show that they are fairly entitled to the entire region drained by the river; and to the establishment of this point, the Undersigned proposes accordingly to limit his remarks at present."

The paper proceeded with arguments, and ended thus :—