

AMERICAN SETTLERS IN OREGON.

The House being in Committee of the Whole on the state of the Union, on the Bill to protect the rights of American Settlers in the territory of Oregon, until the termination of the joint occupation of the same—

Mr. PHELPS rose and said:

Mr. CHAIRMAN: This is one of a series of measures recommended by the Executive in his Annual Message, having for their object the maintenance of our rights in the territory of Oregon, the protection of our emigrants settled there, and the encouragement of emigration to that country. Representing, as I have the honor in part to do, one of those States which have furnished the greatest number of emigrants, and representing also a portion of population designing to emigrate there, it must naturally be supposed that I feel a deep solicitude in everything that pertains to the rights and interests of our people in that country.

In discussing the joint resolutions of notice which passed this House, and which now await the final action in another branch of Congress, there were some gentlemen who were disposed to descant upon the blessings of peace, to dwell upon the happy results which this country has realized from its long continuance, and to depict, in glowing colors, the horrors and evils of war. For my own part, viewing the resolution of notice as a peace measure, and not designed to disturb the relations between the two Governments, I gave it my hearty concurrence. The convention itself stipulated for that very notice; and gentlemen who are disposed to regard it as a war measure, must do so upon the strange assumption that the two Governments had themselves, in 1827, provided in advance for a certain resort to hostilities. Is it to be presumed that either nation would abandon its rights in the territory, or that this joint occupation of it is to endure through all time to come? Such a presumption could not have been entertained for a moment.

But it has been said that the convention of 1818, indefinitely continued in 1827, was adopted as a substitute for war; that we were unable to obtain from Great Britain a recognition of our rights to this territory, by which we should now have enjoyed exclusive possession of it, and that, therefore, as a matter of necessity, we resorted to this joint convention. In the debates which have taken place, on the resolution of notice, our title to the territory of Oregon has been fully argued. It is to be remarked that four nations have heretofore claimed rights in this territory: Russia, the United States, Great Britain, and Spain. So far as the title is concerned, it is immaterial whether the province of Louisiana, ceded by France, extended to the western ocean, or whether its western boundary was the Rocky Mountains; for whatever rights France had, we claim by the treaty of 1803. Let us, then, examine for a few moments the title which these several nations had to this territory.

Russia, by exploration and discovery on the northwest coast, had rights recognised by all sovereign nations; but the extent and limits of her territory were defined under the convention of 1824, by which it was stipulated on the part of the United States that we would make no settlements north of the parallel of 54° 40', nor she, south of that parallel. Spain, however, based her title not only on the ground of discoveries by early navigators, but of explorations and settlements. We claim that, under the treaty of Florida, all the rights which Spain had on the northwest coast, north of latitude 42, were ceded to the United States.

But it has been said that the Nootka Sound convention guaranteed to Great Britain certain rights upon the northwest coast, and that all these rights were revived by her treaty of 1815 with Spain. The fifth article of the Nootka Sound convention is in the following words:

“ART. 5. As well in the places which are to be restored to the British subjects by virtue of the first article, as in all