

Historical Note
1846.

submit this proposal to the consideration of the Senate, and request their advice as to the action which, in their judgment, it may be proper to take in reference to it.

"In the early periods of the Government, the opinion and advice of the Senate were often taken in advance upon important questions of our foreign policy. General Washington repeatedly consulted the Senate, and asked their previous advice upon pending negotiations with foreign Powers; and the Senate in every instance responded to this call by giving their advice, to which he always conformed his action. This practice, though rarely resorted to in latter times, was, in my judgment, eminently wise, and may, on occasions of great importance, be properly revived. The Senate are a branch of the Treaty-making Power; and by consulting them in advance of his own action upon important measures of foreign policy which may ultimately come before them for their consideration, the President secures harmony of action between that body and himself. The Senate are, moreover, a branch of the war-making Power, and it may be eminently proper for the Executive to take the opinion and advice of that body in advance upon any great question which may involve in its decision the issue of peace or war. On the present occasion, the magnitude of the subject would induce me under any circumstances to desire the previous advice of the Senate; and that desire is increased by the recent debates and proceedings in Congress, which render it, in my judgment, not only respectful to the Senate, but necessary and proper, if not indispensable, to insure harmonious action between that body and the Executive. In conferring on the Executive the authority to give the notice for the abrogation of the Convention of 1827, the Senate acted publicly so large a part, that a decision on the proposal now made by the British Government, without a definite knowledge of the views of that body in reference to it, might render the question still more complicated and difficult of adjustment. For these reasons I invite the consideration of the Senate to the proposal of the British Government for the settlement of the Oregon question, and ask their advice on the subject.

"My opinions and my action on the Oregon question were fully made known to Congress in my annual Message of the 2nd of December last; and the opinions therein expressed remain unchanged.

"Should the Senate, by the constitutional majority required for the ratification of Treaties, advise the acceptance of this proposition, or advise it with such modifications as they may, upon full deliberation, deem proper, I shall conform my action to their advice. Should the Senate, however, decline by such constitutional majority to give such advice, or to express an opinion on the subject, I shall consider it my duty to reject the offer.

"I also communicate herewith an extract from a despatch of the Secretary of State to the Minister of the United States at London, under date of the 28th of April last, directing him in accordance with the joint resolution of Congress 'concerning the Oregon Territory,' to deliver the notice to the British Government for the abrogation of the Convention of the 6th of August, 1827; and also a copy of the notice transmitted to him for that purpose, together with extracts from a despatch of that Minister to the Secretary of State, bearing date on the 18th day of May last.

(Signed) "JAMES K. POLK."

"Washington, June 10, 1846."

On the same day the President's Message was considered, and a motion that the Message and documents communicated therewith be referred to the Committee on Foreign Relations was negatived, as was also a motion to postpone the further consideration thereof until 15th June.

On the two next following days the consideration of the Message was continued, and an amendment proposing the addition of a proviso to Article II was moved;* but ultimately it was resolved on a division, by 33 votes to 12, that the President should be advised to accept the proposal of the British Government.

On 13th June Mr. Pakenham reported to his Government as follows:—

(No. 77.)

"My Lord,

"Washington, June 13, 1846.

"In consequence of what I had the honour to state in my despatch No. 68 of the 7th instant, the President sent a Message on Wednesday last to the Senate submitting for the opinion of that body the draft of a Convention for the settlement of the Oregon question, which I was instructed by your

* Appendix, No. 5.