

fell back, and, turning on his former friend, reproaches him with going over to the democratic party.

Mr. WOODWARD here rose to explain, which was very imperfectly heard by the reporter, (as was also many of the remarks of Mr. Y.), consequent upon the great confusion and conversation in the hall.

Mr. YELL continued. The gentleman says that General Jackson pursued the same inactive policy; and he asks why the laws and jurisdiction of the United States were not extended over Oregon at that time? The gentleman, to be sure, was too young at the time to know much about it; but the answer to his question is very easy. The laws of the United States were not extended to Oregon, because there were then no people in the territory for the laws to operate upon. The gentleman from Massachusetts will tell him that the same reason will apply during his administration.

So far as General Jackson was concerned, there was no inconsistency. If the territory had been peopled at that day to the extent it now is, no doubt he would have taken the same ground as we, who were his warm friends and supporters, now take. This charge, in the circumstances of the case, constitute the very reason why the gentleman from Massachusetts, and why I, go for giving this notice. Our citizens are there; they need defence; they emigrated there by thousands, and they have a right to demand our protection. Thousands more will go. This was not the case in 1828, and therefore the same necessity did not exist for the extension of the laws over the territory. I leave the gentleman from Massachusetts and the gentleman from South Carolina to settle the matter between themselves. He went as far as General Jackson did, and as far as all the Presidents before him had gone; but he is now opposed to this new doctrine of "masterly inactivity."

The first question I have to settle with myself, is, *Is Oregon ours?* By the treaty of 1763, between Great Britain and France, Great Britain abandoned all the country west of the Winspi river, and ceded it to France. She now sets up her claim, founded on the Nootka Sound convention of 1790; and it is under that convention that she now claims Oregon; and perhaps it is the most plausible—it is as follows:

Convention between Great Britain and Spain, commonly called the Nootka treaty, signed 28th October, 1790.

The principal object of this treaty is contained in th 3d article; which is as follows:

"Art. 3. In order to strengthen the bonds of friendship, and to preserve in future a perfect harmony and good understanding between the two contracting parties, it is agreed that their respective subjects shall not be disturbed or molested either in navigation or in carrying on their fisheries in the Pacific ocean or in the South seas, or in landing on the coasts of those seas, in places not already occupied, for the purpose of carrying on their commerce with the natives of the country, or of making settlements thereat," &c., &c.

Under that treaty, she acquired no title to the soil, or right to the country, except for commerce, fishing, and hunting, and this was all she then claimed or desired.

Spain ceded to France the whole country west of the Winspi, in 1800. In 1803, the United States became the purchaser of all the title France thus acquired; and in 1818 we purchased the claim of Spain

also, which gave us the whole and only legal title to the country west of the Rocky mountains.

After our purchase of Louisiana, in 1803, we had become the rightful owners of all the country west of the Mississippi river, from latitude 42 to latitude 61, and without any civilized nation to contest our title except the claim of Great Britain, which she acquired under the Nootka Sound convention in 1790, and which was not considered valid, or of much force previous to the year 1818, as will be seen and better understood by a reference to the correspondence between our government and Great Britain upon the restoration of Fort George, which had been taken by the British during the war of 1812; and which was redelivered to the United States by the provisions of the treaty of Ghent:

"In obedience to the command of his royal highness the Prince Regent, signified in a despatch from the right honorable the Earl Bathurst, addressed to the partners or agents of the Northwest Company, bearing date the 27th of January, 1818, and in obedience to a subsequent order dated the 26th of July, from W. H. Sheriff, esq., captain of his Majesty's ship *Andromache*, we, the undersigned, do, in conformity to the first article of the treaty of Ghent, restore to the government of the United States, through its agent, J. B. Prevost, esq., the settlement of Fort George, on the Columbia river.

"Given under our hands, in triplicate, at Fort George, (Columbia river,) this 6th day of October, 1818.

"F. HICKEY,
"Captain of his Majesty's ship *Blossom*.

"J. KEITH,
"Of the Northwest Company.

The acceptance on the part of the United States is in these words:

"I do hereby acknowledge to have this day received, in behalf of the government of the the United States, the possession of the settlement designated above, in conformity to the first article of the treaty of Ghent. Given under my hand, in triplicate, at Fort George, (Columbia river,) this 6th day of October, 1818.

"J. B. PREVOST,
"Agent of the United States."

On the consummation of these acts of the restoration of the valley of the Columbia river, in conformity with the treaty of Ghent, and the acknowledgment of our right "to be the party in possession while treating on the title," Mr. Greenhow remarks:

"The British flag was then formally lowered, and that of the United States having been hoisted in its stead over the fort, was saluted by the *Blossom*.

"The documents cited—the only ones which passed between the commissioners on the occasion—are sufficient to show that no reservation, or exception was made on the part of Great Britain, and that the restoration of Astoria to the United States was complete and unconditional."

In 1818, the convention of joint occupancy was entered into; and it was renewed and indefinitely extended in 1828; and at that time, the British minister admitted that Great Britain had no pretence to the sovereignty of the soil, as will be seen by reference to the articles of the convention, which are as follows, viz:

Convention between the United States of America and Great Britain, signed at London, October 20, 1818.

"ARTICLE 2. It is agreed that a line drawn from the most northwestern point of the Lake of the Woods, along the forty-ninth parallel of north latitude, or if the said point shall not be in the forty-ninth parallel of north latitude, then that a line drawn from the said point due north or south, as the case may be, until the said line shall intersect the said parallel of north latitude, and from the point of such intersection due west along and with the said parallel, shall be the line of demarcation between the territories of the United States and those of his Britannic Majesty; and that the said line shall form the northern boundary of the said territories of the United States, and the southern boundary of the territories of his Britannic Majesty, from the Lake of the Woods to the Stony mountains.

"ART. 1. By either ward of the horse, bays, in the same the date of vessel, cit well under to the preju contracting try, nor sh power or St ject of the to prevent d Convention

"ART. 1. I vention com and his Majer Britain and I and they are tained in forc of the said ar

"ART. 2. It contracting p time after the twelve month abrogate this cordly ention of the said

"ART. 3. No third article of hereby contin m any manner tracting partie ward of the Sto

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But Mr. CA 49. Nor has this debate sho 49th is the pro was intended, a mer administrat Mr. Polk, as w to the following

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