

territory lying between the parallels of 42° and 54° 40' is clearly and unquestionably ours, I shall, therefore, vote for giving to Great Britain such notice as is now before this House, in the most prompt manner.

I shall not detain the House, nor worry my readers with a lengthy recital of the overwhelming array of facts and arguments which have been brought to bear in support of our title. The clear and conclusive arguments of our distinguished Secretary of State, together with the unanswerable speeches of a number of gentlemen on this floor, have left not a cloud, not a speck of doubt upon my mind as to the validity of our title to all the Oregon country south of the parallel of 54° 40'. It is admitted, on all sides, that the title to the whole of this country was in Spain until the year 1790. In that year, the noted treaty of Nootka Sound was entered into between Spain and Great Britain; and upon the provisions of that treaty, the latter now founds her right to the soil. A moment's examination of the objects of that treaty will show most clearly, as I conceive, that the whole pretended title will be found to rest on one single word, and that word is, "settlement," as used in the 3d article of the treaty of Nootka. That treaty was purely commercial in character, in intent, and meaning. It conferred on citizens and subjects of Great Britain the right to "carry on" their fisheries in the Pacific ocean, and 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," and to make "settlements" in places not already occupied. In short, the object in entering into this treaty was the obtaining the right to fish in Spanish waters, hunt on Spanish grounds, and trade with the Indians upon those grounds; business which could not be successfully conducted without the right to make, at least, temporary "settlements." Had the party to whom such commercial grants were made been residing near, or within a few hundred miles—instead of twenty-five thousand miles, as was really the case in this instance—from this country, the right to make "settlements" would not have been absolutely necessary to the prosecution of the trade, which was the object of the treaty. The power to make "settlements" was, therefore, necessary to the carrying out of the before-granted rights, viz: to fish, hunt, and trade with the natives; without this power, or right, all the other granted privileges would have been worthless. But, did this right to make "settlements" give a right to the soil? As well might we contend that the right, by common lease, to take possession of a tract of land, on which to cultivate rye, corn, wheat, &c., would give a right to the soil. Sir, Spain never thought for a moment that she had given Great Britain any other than commercial rights; nor did the then ablest statesmen of England view it in any other light. Were it necessary, or were I disposed to consume time, I could produce the united testimony of all Spanish authority, of the most learned and distinguished men of those days, in Great Britain and of the whole world, to sustain me in the interpretation which I have given this famous treaty of Nootka Sound. I say, then, that England has no right whatever to the soil. The title was in Spain, and in her alone, to all the

country south of the parallel of 54° 40', until the 22d day of February, 1819, when, by the treaty commonly called the "Florida treaty," she ceded all her rights north of 42° of parallel to the United States; and, by virtue of that treaty, I hold that our right to the whole territory up to 54° 40' is "clear and indisputable." England having lost the commercial rights which she had acquired by the treaty of Nootka by the war which subsequently (in 1794, I believe) occurred between her and Spain, would not now have even the right to "hunt, fish and trade," but for the bungling diplomacy of our Government in 1827, when the consent was given to renew the treaty of 1818. This error of the past must be corrected—the people demand it; let us do our duty, and falter not.

But, sir, I must pass on from the question of title, upon which there seems to be little or no difference of opinion, to the objections which have been urged against the giving of this notice. There are a few who differ from us—honestly, I doubt not—on this single point, who, nevertheless, stand by us on the point of title. And, although I never have heretofore, nor can I now, see why we should not assert our right to that which all acknowledge to be ours, yet, when I look to the high source from which some of the objections emanate, I am almost led to pause, and once more review the ground. I listened, with great attention, to the remarks of the very learned and distinguished gentleman from Virginia, (Mr. HUNTER,) for whose honor, inflexible integrity, and sterling patriotism, no one, in or out of this House, entertains a more profound respect than I do; but, sir, much as I respect his opinions generally, on this question I am constrained to differ with him. We are admonished by the gentleman, that the cost of a conflict with Great Britain would be immense, and, as the giving of the notice, in his opinion, would lead to war, he thinks the cost of such a war should be calculated before giving the notice. Sir, although we agree as to the great cost of a conflict with a great nation, and have given it a passing notice, yet we have not counted the cost; we have not made a strict mathematical calculation as to the number of dollars and cents it may require to maintain our rights and our honor. Such calculations, I humbly conceive, are not proper subjects for consideration when either the one or the other is involved. I hail from a State where few acknowledge the false and bloody code of honor, nor do they boast of their patriotism and their chivalry; but let me assure you, that they will not stop to count the dollars nor blood it may cost to maintain the rights and sacred honor of our common country. The cost! the cost! In the name of God, has it come to this, that the propriety of maintaining our rights must be weighed in the balance of "filthy lucre!" Shades of our sires, forbid it!

It has been alleged, in the course of this debate, that if a war should result from our actions upon this subject, it would become a war of "opinions,"—a "war of systems;" and, as our "opinions" and "systems" of Government are antagonistic to monarchy and despotism, all Europe would be arrayed against us. I doubt not that, were we to make such an issue direct, the risk might be worthy of consideration. Would the giving of this notice, or the maintenance of our just rights, be construed as an attack on "systems"

of European suppose the ain that the the great pr ment, if you the bosom of Is it probab would rush heaven-born the numbers ples of Gove of the people brue their li down our sy one at home, a hell to the people of Eur Let not Brita soul," that t Emerald Isle have been tr century, will us, and again which every s eager to aven know their fri clasped to the welcoming the home of the has robbed an the field again oppressed and a home. ference, when there has been Would those hand that smol tress in which t lose immensel Belgium, Prus district of Eu war between I moment's refle such would n fears, then, of the dollars and to England al France only and the United perhaps all b possess hersel has been robb world. And v also be. Their Sovereign people beat in tress of the ne head, as indic mere remnant found an ally and witnessed fail to counten ple her great ri son believe the German States England? Do pl of those S opportunity a United States yoke under w