

discovery, therefore, is clearly with the United States, as against Great Britain. Indeed, Gray had previously, in 1788, explored the strait of Juan de Fuca, north of the Columbia. So that, leaving out of view the rights of Spain by discovery, and of Spain and France by contiguity and extension, the United States claim the Oregon Territory by right of discovery.

By cession from France, in 1803, the United States acquired Louisiana, and all the rights of France in that direction. What are the northwestern limits of Louisiana? Extension by contiguity would carry the pretensions of France to the Pacific. By Great Britain herself, the possession of the body of the continent was always treated as stretching across the entire breadth of the continent. Her grants to Massachusetts and to other colonies reach to the Pacific. Conflicts of pretension thus grew up between France and Great Britain, which were adjusted, in 1763, by the treaty of Versailles, by which Great Britain ceded to France all claims to land west of the Mississippi. Prior to which, by the treaty of Utrecht, concluded in 1713, France and Great Britain agreed to appoint commissioners to describe and settle the boundaries between the French and English colonies in North America; which resulted in the establishment of the parallel of 49 degrees north as the northern limit of Louisiana. As between Great Britain and France, then, Louisiana was bounded, east by the Mississippi, north by latitude 49 deg. N., and westward by the Pacific; and by the Louisiana treaty, the United States added to her own rights of discovery the pre-existing rights of France.

In this state of the case, Mr. Jefferson devised and authorized, in 1805, the celebrated expedition of Lewis and Clark, who ascended the Missouri, crossed the Rocky mountains, reached the head-waters of the Columbia, descended the river, erected the works called Fort Clatsop, and in the most formal and authentic manner asserted the rights of the United States in and to the whole country. No establishment of any other Power existed at that time on the waters of the Columbia.

But the enterprise of colonizing that country was undertaken in 1811 by John Jacob Astor, of New York; one of those truly noble merchants "who, by their great commercial enterprise, have enriched nations, peopled wildernesses, and extended the bounds of empire;" a man of far-seeing mind, with plans covering the globe, and with results as grand as the plans; a merchant, in wealth and greatness of design equalling the Medici of Florence, the Dorias of Genoa, and the Foscari of Venice, without the political ambition which rendered their wealth a curse to their country. The narrative, by Washington Irving, of that magnificent undertaking, belongs to the classic literature of the world, combining the truth of history with the stirring interest of romance. Mr. Astor's establishment at Astoria, having for its immediate object the prosecution of the fur-trade, was anterior to any establishment on the Columbia by any Power other than the United States. It was broken up by the war of 1812, and taken possession of by Great Britain in the course of her belligerent operations; but again formally surrendered to us in 1818, in express obedience to the treaty of Ghent.—(Doc. 17th Con. 1st Ses. Exec. No. 328.) What was the character of this transaction clearly appears from the explanations on the subject exchanged by Mr. Rush and Lord Castlereagh. Mr. Rush says:

"I told him, &c. * * Granting that she (England) had a claim, was the lawfulness of the step taken by the United States (that is, resuming the possession of Astoria) to be questioned? That the post was in their possession before the war of 1812, was admitted; and, also, that it had fallen, by capture, into the hands of Britain during the war. How, then, under a treaty of peace, the first article of which stipulated the mutual restitution of all places reduced by the arms of either party, was our right to restitution to be impeached? * * * * * His lordship admitted our right to restitution, and our claim to be in possession, when negotiations for the title were going on."—(Rush's London, p. 74.)

Or, as stated in Mr. Rush's official despatch:

"Lord Castlereagh admitted, in the most ample extent, our right to be reinstated, and to be the party in possession while treating of the title."—(Letter Feb. 1818.)

Here, then, we have the original title of the United States by discovery, fortified by the rights of France, continued by the exploration of Lewis and Clark, by the formal taking of possession, and by regular occupation, and completed by the recognition of Great Britain.

Nor is this the whole strength of our case. By the Florida treaty, concluded in 1819, Spain ceded to the United States all her claims on this continent north of latitude 42 degrees north. And this was a most important cession. Indeed that treaty was rather a convention of mutual cessions than of pecuniary indemnities merely. Mr. Adams, who, in all cases where in the course of a long life of public service he has been called to maintain the rights of his country, has done it ably and thoroughly, and who negotiated that treaty, deserves universal credit for its favorable conditions in this respect. In consideration of the cession to Spain, made under the positive instructions of President Monroe, of our claims to the Rio del Norte, which claims Mr. Adams defended strenuously to the last, the United States obtained, in addition to East and West Florida, a cession of all the rights of Spain in the valley and coast of the Oregon; rights which alone could seriously conflict with our own pretensions on the Pacific.

Spain, prior to 1819, claimed that whole country to Prince William's sound, in the 60th parallel of latitude. She did this, in right of the extension of her Mexican possessions by contiguity, and in right of early discovery and repeated explorations and acts of occupation. Hernan Cortes, the great conqueror himself, in the prosecution of his own splendid designs, explored, in 1526, the northwestern coast of America to the northern limits of California. The Spaniards, also, point to various other expeditions fitted out from Acapulco or San Blas in the sixteenth and seventeenth centuries; as that of Gali in 1582 to latitude 57 degrees north; Juan de Fuca in 1592, who is said to have discovered, and certainly gave his name to, the bay and strait still bearing it, and the account of whose voyage in the trust-worthy Purchas, though formerly disputed, seems now to be admitted, (Murray's N. Am. Dis. vol. 2, p. 80;) Vizcaino, in 1602, who is believed by some of the Spanish writers to have discovered the Oregon; * De Fonte, who is said to have reached the latitude 54 degrees in 1640. Why these accounts, or any of them, should be disputed, I know not. Some of them, it is perfectly certain, rest upon the most ample evidence. Instead of being intrinsically improbable, it would, on the contrary, have been strange indeed if Spain, being in tranquil possession of New California, had never extended her voyages a few degrees to the north of that province along the same coast.

However this may be, no English navigator, prior to Cook, has any pretension to antiquity of discovery in that quarter, except Sir Francis Drake. He was a pirate, cruising along the coast and in the seas of Spanish America as a bucaner and a plunderer, making private war, and capturing prizes on his own responsibility, landing to ravage and burn the towns, and hold the peaceful people to ransom; a gallant pirate, to be sure, brave and enterprising; but still a pirate, and knighted as such for the mischief he had thus done to Spain. Whether the cruises of a bucaner can confer any title of discovery I will not stop to inquire; it is unnecessary; for no credible account

*Torquemada, in the authentic account of Vizcaino's expedition, given by him in the Monarquia Indiana, says that Martin de Angila, who commanded one of the vessels of the fleet, having passed northward of Cape Blanco, se hallo un rio muy caudaloso y hondable * * Queriendo entrar por el, los corrientes no dio lugar a ello.—(Lib. v. c. 55.) Humboldt, however, does not consider this to have been the Columbia; but thinks the Columbia was first visited by the Spaniards in 1775, its bay having been entered by the expedition of Heceta and Quadra, and called by them Entrada de Heceta.—(Humboldt's New Spain, v. iii, c. 8, s. 15.)