

The case, then of Great Britain, in respect to the country west of the Rocky Mountains, is shortly this :—

Admitting that the United States have acquired all the rights which Spain possessed, up to the treaty of Florida, either in virtue of discovery, or, as is pretended, in right Louisiana, Great Britain maintains that the nature and extent of those rights, as well as of the rights of Great Britain, are fixed and defined by the convention of Nootka; that these rights are equal for both parties; and that, in succeeding to the rights of Spain, under that convention, the United States must also have succeeded to the obligations which it imposed.

Admitting, further, the discovery of Mr. Gray, to the extent already stated, Great Britain, taking the whole line of the coast in question, with its straits, harbors, and bays, has stronger claims, on the ground of prior discovery, attended with acts of occupancy and settlement, than the United States.

Whether, therefore, the United States rest their claims upon the title of Spain, or upon that of prior discovery, or upon both, Great Britain is entitled to place her claims at least upon a parity with those of the United States.

It is a fact, admitted by the United States, that, with the exception of the Columbia river, there is no river which opens far into the interior, on the whole western coast of the Pacific Ocean.

In the interior of the territory in question, the subjects of Great Britain have had, for many years, numerous settlements and trading posts—several of these posts on the tributary streams of the Columbia, several upon the Columbia itself, some to the northward, and others to the southward, of that river; and they navigate the Columbia as the sole channel for the conveyance of their produce to the British stations nearest the sea, and for the shipment of it from thence to Great Britain. It is also by the Columbia and its tributary streams that these posts and settlements receive their annual supplies from Great Britain.*

In the whole of the territory in question, the citizens of the United States have not a single settlement or trading post. They do not use that river, either for the purpose of transmitting or receiving any produce of their own, to or from other parts of the world.

In this state of the relative rights of the two countries, and of the relative exercise of those rights, the United States claim the exclusive possession of both banks of the Columbia, and, consequently, that of the river itself; offering, it is true, to concede to British subjects a conditional participation in that navigation, but subject, in any case, to the exclusive jurisdiction and sovereignty of the United States.

Great Britain, on her part, offers to make the river the boundary; each country retaining the bank of the river contiguous to its own territories, and the navigation of it remaining forever free, and upon a footing of perfect equality to both nations.

To carry into effect this proposal, on our part, Great Britain would have to give up posts and settlements south of the Columbia. On the part of the United States, there could be no reciprocal withdrawing from actual occupation, as there is not, and never has been, a single American citizen settled north of the Columbia.

The United States decline to accede to this proposal, even when Great Britain has added to it the further offer of a most excellent harbor, and an extensive tract of country on the Straits of De Fuca—a sacrifice tendered in the spirit of accommodation, and for the sake of a final adjustment of all differences, but which, having been made in this spirit, is not to be considered as in any degree recognizing a claim on the part of the United States, or as at all impairing the existing right of Great Britain over the post and territory in question.

Such being the result of the recent negotiation, it only remains for Great Britain to maintain and uphold the qualified rights which she now possesses over the whole of the territory in question. These rights are recorded and defined in the convention of Nootka. They embrace the right to navigate the waters of those countries, the right to settle in and over any part of them, and the right freely to trade with the inhabitants and occupiers of the same.

These rights have been peaceably exercised ever since the date of that convention; that is, for a period of near forty years. Under that convention, valuable British interests have grown up in those countries. It is fully admitted that the United States possess the same rights, although they have been exercised by them

* Here is an assertion that Great Britain has been accruing title, through the operations of her Hudson's Bay Company, ever since the treaty of 1813. This gives an additional significance to her grant of the civil and criminal jurisdiction of the territory, to that incorporation. It will be well for our readers here to recollect the declaration of our Government made in 1823, that thenceforth no portion of the American Continent were to be considered as subjects for European Colonization.