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The undersigned trusts that he has now shown that the convention of 1790, (the Nootka Sound Convention), has continued in full and complete force up to the present moment.

By reason, in the first place, of the commercial character of some of its provisions, as such expressly renewed by the convention of August, 1814, between Great Britain and Spain.

By reason, in the next place, of the acquiescence of Spain in various transactions to which it is not to be supposed that that power would have assented, had she not felt bound by the provisions of the convention in question.

And, thirdly, by reason of repeated acts of the Government of the United States, previous to the conclusion of the Florida treaty, manifesting adherence to the principles of the Nootka convention, or at least dissent from the exclusive pretensions of Spain.

Having thus replied, and he hopes satisfactorily, to the observations of the American Plenipotentiary with respect to the effect of the Nootka Sound convention and the Florida treaty, as bearing upon the subject of the present discussion, the undersigned must endeavour to show that even if the Nootka Sound convention had never existed, the position of Great Britain in regard to her claim, whether to the whole or to any particular portion of the Oregon territory, is at least as good as that of the United States.

This branch of the subject must be considered, first, with reference to principle—to the right of their party, Great Britain or the United States, to explore or make settlements in the Oregon territory without violation of the rights of Spain; and next, supposing the first to be decided affirmatively, with reference to the relative value and importance of the acts of discovery, exploration, and settlements effected by each.

As relates to the question of principle, the undersigned thinks he can furnish no better argument than that contained in the following words, which he has already once quoted from the statement of the American Plenipotentiary.

"The title of the United States to the valley of the Columbia, is older than the Florida treaty of February, 1819, under which the United States acquired all the rights of Spain to the north-west coast of America, and exists independently of its provisions." And again, "the title of the United States to the entire region drained by the Columbia river and its branches, was perfect and complete before the date of the treaties of joint occupancy of October, 1818, and August, 1827."

The title thus referred to, must be that resting on discovery, exploration, and settlement.

If this title then, is good, or rather was good, as against the exclusive pretensions of Spain, previously to the conclusion of the Florida treaty, so must the claims of Great Britain, resting on the same grounds, be good also.

Thus, then, it seems manifest that, with or without the aid of the Nootka Sound convention, the claims of Great Britain, resting on discovery, exploration, and settlement, are, in point of principle, equally valid with those of the United States.

Let us now see how the comparison will stand when tried by the relative value, importance, and authenticity of each.

Rejecting previous discoveries north of the 42d parallel of latitude as not sufficiently authenticated, it will be seen, on the side of Great Britain, that in 1776, Captain Cook discovered Cape Flattery, the southern entrance of the Straits of Fuca. Cook must also be considered the discoverer of Nootka Sound, in consequence of the want of authenticity in the alleged previous discovery of that port by Perez.

In 1787, Captain Berkeley, a British subject, in a vessel under Austrian colours, discovered the Straits of Fuca.

In the same year, Captain Duncan, in the ship Princess Royal, entered the straits, and traded at the village of Classet.

In 1788, Meares, a British subject, formed the establishment at Nootka, which gave rise to the memorable discussion with the Spanish Government, ending in the recognition, by that power, of the right of Great Britain to form settlements in the unoccupied parts of the north-west portion of the American continent, and in an engagement, on the part of Spain, to reinstate Meares in

the possession from which he had been ejected by the Spanish commanders.

In 1792, Vancouver, who had been sent from England to witness the fulfilment of the above-mentioned engagement, and to effect a survey of the north-west coast, departing from Nootka Sound, entered the Straits of Fuca; and after an accurate survey of the coasts and inlets on both sides, discovered a passage northwards into the Pacific by which he returned to Nootka, having thus circumnavigated the island which now bears his name. And here we have, as far as relates to Vancouver's Island, as complete a case of discovery, exploration, and settlement as can well be presented, giving to Great Britain, in any arrangement that may be made with regard to the territory in dispute, the strongest possible claim to the exclusive possession of that island.

While Vancouver was prosecuting discovery and exploration by sea, Sir Alexander Mackenzie, a partner in the North-west Company, crossed the Rocky Mountains, discovered the head waters of the river since called Frazer's River, and, following for some time the course of that river, effected a passage to the sea, being the first civilized man who traversed the continent of America from sea to sea in those latitudes. On the return of Mackenzie to Canada, the North-west Company established trading posts in the country to the westward of the Rocky Mountains.

In 1806 and 1811, respectively, the same company established posts on the Tacoutché, Tessé, and the Columbia.

In the year 1811, Thompson, the astronomer of the North-west Company, discovered the northern head waters of the Columbia, and, following its course till joined by the rivers previously discovered by Lewis and Clarke, he continued his journey to the Pacific.

From that time till the year 1818, when the arrangement for the joint occupancy of the territory was concluded, the North-west Company continued to extend their operations throughout the Oregon territory, and to "occupy," it may be said, as far as occupation can be effected in regions so inaccessible and destitute of resources.

While all this was passing, the following events occurred which constitute the American claim