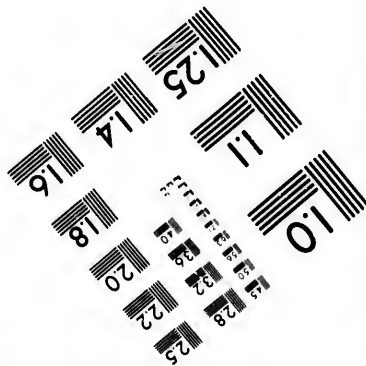
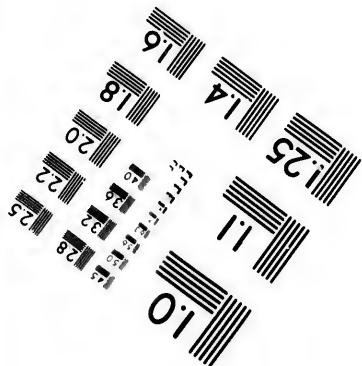
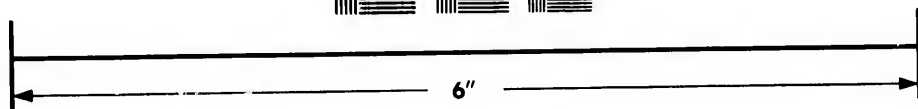
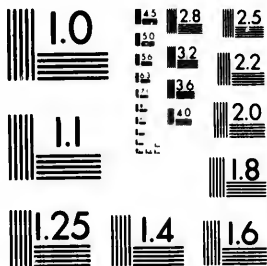


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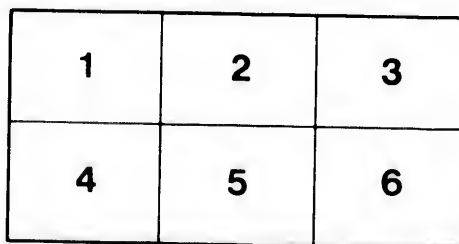
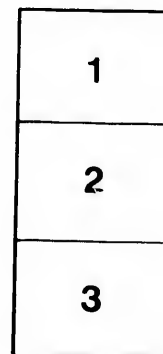
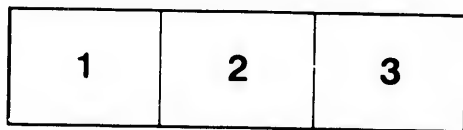
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SPEECH

OF

MR. L. B. CHASE, OF TENNESSEE,

ON THE

OREGON QUESTION.

Delivered in the House of Representatives, U. S., February 4, 1846.

WASHINGTON:
PRINTED BY J. & G. S. GIDEON.
1846.

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The House
Foreign Affairs
will terminate
trade in Oregon

Mr. CHA

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SPEECH.

The House having under consideration the joint resolution reported by the Committee on Foreign Affairs, directing the President to give notice to Great Britain that the United States will terminate the convention between the two Governments, providing for the joint right of trade in Oregon territory, at the expiration of twelve months—

Mr. CHASE, of Tennessee, being entitled to floor, said—

I regret, Mr. Chairman, at the present stage of this discussion, that I am compelled to occupy the time or the attention of the committee. But the position I occupy before my constituents, and the allusions which have been made to the South, by members from the North, upon this floor, makes it my duty to forbear giving a silent vote. I shall deem it peculiarly unfortunate if this should become a *sectional* question. When the honor of the country is to be defended, there should be but one voice in this hall, but one opinion in this country. If our national escutcheon is to be tarnished by a surrender of our soil, the blight should fall equally upon every portion of our land. But, if the national faith is to be nobly vindicated, the glory should descend upon all.

The defenceless condition of cities upon the coast has been alluded to by gentlemen. Have their inhabitants become so enervated that they cannot rally in the defence of their altars and their firesides? Where can there be more danger than upon our northern and western border? The entire northern line, from the mouth of the St. John's to the Pacific, the frontier from the mouth of the Columbia to the Rio del Norte, is exposed to the attacks of the British and their allies, the savages. Sir, are the pangs of death more terrible in cities than in the country; is the loss of property more to be dreaded, or will they alike "pledge life, fortune, and sacred honor," in the defence of their country's rights? I was much pleased with the fearlessness of the gentleman from Missouri, (Mr. SIMMS.) He boldly flings his banner to the breeze, upon which he has inscribed his motto, "the whole of Oregon or none, now or never." That gentleman stakes his all in the position he has assumed. His home is upon the frontier, where his family have to dread the tomahawk of the merciless savages, more *terrible* in their fury than their *civilized* employers, whose attacks are so much dreaded upon the coast. Not only will that gentleman maintain his position upon this floor, but, if necessary, he will back it with a western rifle. So much has been said about the eagle, it may be considered in bad taste, upon my part, if I let the poor bird rest. So often has he been compelled to dash

through the air, now bleeding the lion, at the request of the gentleman from Indiana, (Mr. KENNEDY,) and anon at the solicitation of the eloquent gentleman from Virginia, (Mr. BEDINGER,) attempting, but without success, to dash through dark clouds charged with electricity, again and again making the effort, as he wheeled and soared aloft, as if determined to brave the fire and artillery of heaven, and "pass on to the trackless regions of the West." The gentleman should have required another bold and *triumphant* effort, enabling the eagle, as the emblem of our power and our institutions, to soar above the cloud, or to pass through it, rather than to suffer him to pause until the *danger* had passed. I will first, Mr. Chairman, allude to the position taken by my colleague, (Mr. EWING.) I could hardly resist the conclusion, that the gentleman had made Great Britain his client, such a striking similarity is there between a part of his arguments and those advanced by Mr. Packenham.

Letter of Mr. Packenham, July 29, 1845.

"The United States can found no claim on discovery, exploration, and settlement, effected previously to the Florida treaty, without admitting the principles of the Nootka convention, and the consequent validity of the parallel claims of Great Britain, founded on like acts; nor can they appeal to any exclusive right, as acquired by the Florida treaty, without upsetting all claims adduced in their own proper right, by reason of discovery, exploration, and settlement, antecedent to that arrangement."

It is sufficient answer to the arguments of these gentlemen to state the fact, that we own both these titles, and can use them separately or together as we please.

Mr. Packenham, July 24, 1846.

"In the first place, as relates to the discovery of Gray, it must be remarked that he was a private navigator, sailing principally for the purposes of trade."

Neither of the gentlemen have given reasons or authority to show the distinction between a Government vessel and a merchantman, with the flag of her country at her mast-head, so far as discoveries are concerned.

My colleague proceeds to take another position, which appears to me to be untenable. He says:

"What, then, is the true construction of the Nootka treaty? The text of that convention certainly gives to England the right of settlement of Nootka Sound, and within the parallels, therefore, of 42° and 54° 40'."

I will notice the right of the English to make settlements north of Nootka sound *hereafter*. I have been unable to find any authority to sustain the gentleman's position, that there was a line established at 54° 40' as early as 1790, the date of the Nootka treaty. On the contrary, it was not until the convention of 1824, between the United States and Russia, that the boundary of 54° 40' was established—nearly thirty years subsequent to the Nootka convention.

Speech of Mr. Ewing, January 29, 1846.

"Now the first observation that is to be made in regard to our title is, that we cannot rely upon both that arising from our own discoveries and that derived from Spain, and in one event we shall be precluded altogether from relying on the former at all. If our title by discovery and settlement be better than that both of England and Spain, or even better than that of Spain, we may disregard the Spanish title altogether, and meet England upon that ground; but if the Spanish title be better than that which we possessed in 1818, we may not be at liberty to disregard the Spanish title, for in that title England may have an interest under the Nootka convention.

Mr. Ewing.

"First. It is doubtful whether Gray's discovery can enture to the benefit of the United States, he not acting under Government authority."

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My colleague is somewhat celebrated in Tennessee as a criminal lawyer; and it is well known by all who have witnessed the trial of criminals, that their counsel have often to resort to ingenious argument, to create in the minds of the jury "*reasonable doubts*" as to their guilt. My colleague is fresh from the courts, and I was not much surprised, that he is found attempting to create "*reasonable doubts*" in the minds of this committee and the country, as to our title to Oregon. I have great respect for my colleague as a man of learning, and as a patriot, and I am inclined to the opinion, that after he has abstained from the defence of criminals for a short time, all will go right with him, and we shall have his cordial assistance in obtaining the whole of Oregon. I quote from the gentleman's speech:

First. It is doubtful whether Gray's discovery can inure to the benefit of the United States, he not acting under government authority. Second. It is pretty certain that his entering the mouth of the river is not better than Heeceta's discovery in 1775. Third. Heeceta went by government authority, and claimed the whole coast for his government, but it is doubtful how far such a claim was of use without subsequent settlement. Fourth. The effect of Lewis and Clarke's exploration without settlement is of doubtful import. Fifth. The settlement of Astoria and its subsequent abandonment, what is this to avail? *Dubitatur*. Sixth. The Spanish establishment at Nootka, of what effect was that? It is not agreed. Then it cannot be determined which is unquestionably the better title, the American or the Spanish. The Spanish title seems to be preferred by our American diplomatists, not that they have the choice; the English, though, are certainly at liberty to argue that this is our better title; and, if the point is really a doubtful one, we cannot arbitrarily assume it to be either the one way or the other.

"Take it, then, that the Spanish is our better title, (and England has a right so to argue, for it is, I say, a debatable matter,) then our title by our own discoveries is gone; for England has an interest in perpetuo derived under this Spanish title by convention, and we cannot repudiate it; or, if we do, England may set it up as outstanding, and assert her rights derived under it and the convention with Spain."

These doubts, taken in connection with the positive assertion of the gentleman from South Carolina, (Mr. HOLMES,) that—

"Sir, I deny in *toto* any right, any claim to that territory, or to any part or parcel thereof, that does not appertain with equal force and efficiency to the power of Great Britain."

will, I hope, be a sufficient excuse, upon my part, for an examination of our rights in Oregon.

I was surprised, Mr. Chairman, to hear my colleague, (Mr. EWING,) make the admission contained in the following language:

"The result, then, with me, of the examination of our title to the Oregon territory is, that it is not "*clear and unquestionable*." I have not examined, nor do I intend to examine, how much better it may be to the 49th parallel than to the parallel of 54° 40', though I do think it better to the former than the latter; and, indeed, if the line of 49° was really marked by the treaty of Utrecht, of which, however, I have no sufficient evidence, we might claim with certainty to 49°, and could not go beyond it. The questioning our title to any part of this territory is certainly no pleasing task to me, unwilling as I am to yield any portion of the territory, and determined as I am never, at any hazard, to yield anything below the 49th degree of north latitude."

He thinks our title is not "*clear and unquestionable to the Oregon*" territory. The gentleman says he has not examined, nor does he intend to examine, how much better it is to the 49th parallel than to 54° 40'. It occurs to me, sir, that as the gentleman has so many doubts in his own mind as to our title, and is so scrupulous about taking that which does not belong to us, he should be well satisfied of our rights before he asserts a determination not to yield the territory. He does state, that he thinks our title better to 49° than to 54° 40', although he has not examined, nor does he intend to examine, how *much* better; and yet he concludes, "*determined as I am never, at any hazard, to yield anything below the 49th degree of north latitude.*"

It cannot be, that my colleague is resolved to differ, right or wrong, with the executive, as to our title to Oregon; and yet I cannot reconcile his conclusions. Why this resolution expressed, not to yield anything below the 49th degree of north latitude, at the same time that he declares our title to Oregon is not "clear and unquestionable?" If we have no right to the territory he ought not to claim it; on the contrary, if we have rights there they should be enforced. If we have a title to the 49th, and no further, there should he go and stop. If our title is good to 54° 40', every principle of honor and duty prompts us to enforce it.

I will first, Mr. Chairman, briefly allude to our title by our own discoveries, explorations, and settlements. In May, 1792, Capt. Gray, in the ship Columbia, from Boston, entered the mouth of the Columbia river, sailed up the river for several miles, and gave it the name which it has since borne. It is true that the British commissioners, in 1826, in the statement annexed to the protocol of the sixth conference, held at London, assert that "Mr. Meares, a lieutenant of the royal navy, in 1788, had actually entered the bay of the Columbia, to the northern headland of which he gave the name of Cape Disappointment, a name which it bears to this day." If this assertion of the British commissioners was sustained by the facts, the English could not reap the benefits of his discoveries, as will appear from the following extract from Greenhow's history of Oregon, page 172:

"For the expedition in question, two vessels were fitted out at the Portuguese port of Macao, near Canton, in China, from which, as already mentioned, several voyages had been previously made to the northwest coasts of America, in search of furs. They were both placed under the direction of John Meares, a lieutenant in the British navy, on half pay, who sailed in the ship Felice, as supercargo; the other vessel, the brig Iphigenia, also carried a British subject, William Douglass, in the same capacity; both vessels were, however, commanded, ostensibly, at least, by Portuguese captains; they were both furnished with passports, and other papers, in the Portuguese language, granted by the Portuguese authorities of Macao, and showing them to be the property of Juan Cavallo, a Portuguese merchant of that place. The instructions for the conduct of the voyage were written only in the Portuguese language, and contained nothing whatsoever calculated to afford the slightest grounds for suspicion that other than Portuguese subjects were interested in the enterprise. Finally, the vessels sailed from Macao on the 1st of January, 1788, under the Portuguese flag, and there is no sufficient proof that any other was displayed by them during the expedition."

If any nation is entitled to the benefit of his discoveries, it is certainly Portugal.

Lieutenant Meares, it is true, sought for the mouth of the Columbia in the latitude where tradition had located it, but he states in his journal that "he can now safely assert that there is no such river as that of St. Roc existing, as laid down in the Spanish charts." As evidence of the sincerity of this assertion, he gave the name of *Cape Disappointment* to the promontory, and the bay obtained the name of *Deception Bay*.

The next question is, whether we followed up our discovery soon enough, by exploration and settlement, to perfect our title. Coming to a conclusion upon this subject, we must take into consideration the vast distance to that country, and the difficulties which nature has thrown in our way. There is a material difference between perfecting a title under such circumstances, and where no such obstacles prevail. Reason and common sense would lead us readily to the conclusion that, in the exploration and settlement of Oregon, it was done in a *reasonable time* from the discovery of the mouth of the St. Roc by Capt. Gray.

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the United States, began the ascent of the Missouri, and on the 15th of November, 1805, arrived at the mouth of the Columbia. This was evidence to the nations of the earth that our Government had asserted her title to the territory. In March, 1811, Astoria was settled by a colony sent out by John Jacob Astor, from New York.

The next subject of inquiry is, what were the rights of Spain in Oregon, at the treaty of 1819.

Mr. Packenham does not date the English discoveries earlier than 1788. In his communication of July 29, 1845, he says: "Rejecting previous discoveries north of the 43d parallel of latitude as *not sufficiently authenticated*, it will be seen, on the side of Great Britain," &c. It will now be important, Mr. Chairman, to ascertain what were the extent and importance of the discoveries made by Spain, *previous* to 1788.

1592, Juan de Fuca discovered the straits bearing his name.

1774, Juan Perez explored the coast, from 54° north latitude to 49½°, and discovered Nootka sound.

1775, Heceta sailed along the shore, from 50° north latitude to 41°; one of his lieutenants explored the coast, from 58° to 54° north latitude, and examined it carefully from 45° to 42°.

The Spaniards always claimed the country north to mount St. Elias, in latitude 61°. As *conclusive* evidence of this fact, I refer the committee to the following admissions made by Mr. Packenham, in his communication to the Secretary of State, July, 1845: "But, says the American plenipotentiary, in another part of his statement, the rights of Spain to the west coast of America, as far north as the sixty-first degree of latitude, were so complete as never to have been seriously questioned by any European nation. They had been maintained by Spain with the most vigilant jealousy ever since the discovery of the American continent, and had been acquiesced in by all European powers." This position is not controverted by the British minister. Then, Mr. Chairman, we must consider it clearly settled, that the Spanish claim to the territory of Oregon, north to 61°, was acquiesced in by the powers of Europe, down to the Nootka convention, in 1790. It becomes our duty, therefore, to inquire what was the force and effect of that convention.

The following is the 3d article of that convention:

"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 navigating or 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 there; the whole subject, nevertheless, to the restrictions specified in the three following articles."

It is contended that, by the provisions of this article, the English had the right of making permanent settlements upon the northwest coast; but it will be seen this right *was* restricted by the following articles:

"Art. 4. His Britannic Majesty engages to take the most effectual measures to prevent the navigation and the fishing of his subjects in the Pacific ocean, or in the South seas, from being made a pretext for illicit trade with the Spanish settlements; and with this view, it is moreover expressly stipulated, that British subjects shall not navigate or carry on their fishery in the said seas, within the space of ten sea leagues from any part of the coast already occupied by Spain."

"Art. 5. As well in the places which are to be restored to the British subjects, by virtue of the first article, as in all other parts of the northwestern coasts of North America, or of the islands adjacent, situate to the north of the parts of the said coast already occupied by Spain, wherever the subjects of either of the two powers shall have made settlements since the month

of April, 1789, or shall hereafter make any, the subjects of the other shall have free access, and shall carry on their trade without any disturbance or molestation."

At the time this treaty was made between England and Spain, the former power was only anxious to enable her subjects to trade with the Indians, and engage in the fisheries; there is not the slightest evidence, to be gathered from the terms of the convention, that she was anxious to secure for her subjects the *permanent* possession of the country. This is apparent from the fact, that the principle object of the convention appears to be, to place restrictions upon the *right of trade and fishing*, so that the subjects of the two nations might not interfere with each other, and the limits of these rights were defined by the settlements of the two powers. *This convention contained no provision impairing the sovereignty of Spain.* If I can, Mr. Chairman, establish this proposition, the claim of England to soil upon the northwest coast is wholly unsustainable. I shall rely upon the admissions and acts of England to prove my position.

First. When the negotiations in 1818 were in progress between this country and England, no claim was urged by the latter power to the territory of Oregon, under the Nootka convention. As eager as the English are to seize upon every pretext to extend their territorial rights, it is not to be supposed that they would suffer any opportunity to pass without impressing upon the nations of the earth the rights they possess.

Second. Astoria was surrendered under the first article of the treaty of Ghent. The act of delivery is in the following language:

"In obedience to the commands of his Royal Highness, the Prince Regent, signified in a dispatch 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. A. 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.

Signed,

"F. HICKEY, *Capt. of his Majesty's ship Blossom.*
"J. KEITH, *of the Northwest Company.*"

The act of acceptance, on the part of the American Commissioner, is in these words:

"I do hereby acknowledge to have this day received, in behalf of the Government of 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 November, 1818.

Signed,

"J. B. PREVOST, *Agent for the United States.*"

Third. In 1819, we acquired all the rights of Spain to the northwest coast, north of the 42d degree of north latitude, and again England stood silent. The boundary between the United States and Spain was settled as follows:

"The two high contracting parties agree to cede and renounce all their rights, claims, and pretensions to the territories described by the said line: that is to say, the United States hereby cede to his Catholic Majesty, and renounce forever, all their rights, claims, and pretensions to the territory lying west and south of the above described line, (42°;) and in like manner his Catholic Majesty cedes to the United States all his rights, claims, and pretensions to any territory east and north of the said line, and for himself, his heirs, and successors, renounces all claim to the said territories forever."

Spain, at that time, claimed the sovereignty of the soil between 42° and 61° north latitude.

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Fourth. By the convention between the United States and Russia, in 1824, the boundary between the two powers was fixed in latitude $54^{\circ} 40'$. We thus cede to Russia 6° and $20'$, or an extent of country along the coast of three hundred and sixty miles. If England had possessed title to this soil, would she have calmly and quietly looked on, suffering it to be traded off by one power to another? The following is the article setting the boundary between the United States and Russia:

"It is, moreover, agreed, that, hereafter, there shall not be formed, by the citizens of the United States, or under the authority of the United States, any establishment upon the northwest coast of America, nor in any of the islands adjacent to the north of fifty-four degrees and 40 minutes of north latitude; and, in the same manner, there shall be none formed by Russian subjects, or under the authority of Russia, south of the same parallel."

Fifth. So far from objecting to the establishment of the boundary between the United States and Russia upon the parallel of $54^{\circ} 40'$, and a consequent conveyance to Russia of 6 degrees of territory which we obtained from Spain, England, in 1825, established her boundary with Russia, making the parallel of $54^{\circ} 40'$ the basis. By that convention England obtained from Russia an extent of country three hundred and sixty miles in length, which the Russians derived from the United States—the latter power holding under Spain. And yet, sir, at this late day, the English Government dispute the validity of our Spanish title. I call the attention of the committee to the following article of the convention between Russia and Great Britain:

"ARTICLE 3. The line of demarkation between the possessions of the high contracting parties upon the coast of the continent, and the islands of America to the northwest, shall be drawn in the manner following: Commencing from the northernmost point of the island called Prince of Wales' island, which point lies in the parallel of $54^{\circ} 40'$ north latitude, and between the 131st and 133d degree of west longitude, (meridian of Greenwich.) The said line shall ascend to the north along the channel called Portland channel, as far as the point of the continent where it strikes the 56th degree of north latitude. From this last mentioned point the line of demarkation shall follow the summit of the mountains situate parallel to the coast as far as the point of intersection of the 141st degree of west longitude, (of the same meridian.) And, finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far as the Frozen ocean, shall form the limit between Russian and British possessions on the continent of America to the northwest."

Sixth. By the convention of 1818, England had a joint right of trade with the United States in the territories possessed by both powers west of the Stony mountains. The following is the 3d article of the convention of 1818:

"It is agreed that any country that may be claimed by either party on the northwest coast of America, westward of the Stony mountains, shall, together with its harbors, bays, and creeks, and the navigation of all rivers within the same, be free and open for the term of ten years, from the date of the signature of the present convention, to the vessels, citizens, and subjects of the two Powers, it being well understood that this agreement is not to be construed to the prejudice of any claim which either of the two high contracting parties may have to any part of the said country; nor shall it be taken to affect the claims of any other Power or State to any part of the said country; the only object of the high contracting parties, on that subject, being to prevent disputes and differences among themselves."

The convention of 1827 indefinitely extended and continued in force the convention of 1818, giving, however, to either of the contracting parties, the right to abrogate it upon giving to the other party twelve months' notice.

What I wish, Mr. Chairman, to call the attention of the committee particularly to, is the fact that England, under the convention of 1818, had a

right to trade between the 42d and the 61st degrees of north latitude, as our title embraced the territory between these parallels. But between the conventions of 1818 and 1827, the convention of 1824 was adopted between Russia and the United States, by which we transferred our soil north of 54° 40' to Russia, and consequently, when the convention of 1827 was adopted, England had not the right of *trade* even north of 54° 40'. It is not to be supposed, sir, that England, if she had rights in Oregon at that time, would have suffered them to be so grossly infringed upon.

I think, Mr. Chairman, I have now established my position, that the Nootka convention contained no provision impairing the sovereignty of Spain to the territory upon the northwest coast.

But there is another treaty which precludes Great Britain from setting up a claim to territory west of the Mississippi river. The seventh article of the treaty between Great Britain and France, in 1763, is in the following words: "The confines between the dominions of His Britannic Majesty in that part of the world (the continent of America) shall be *fixed irrevocably* by a line drawn along the middle of the river Mississippi, from its source to the river Iberville; and, from thence, by a line drawn along the middle of this river and the lakes Maurepas and Ponchartrain, to the sea." The boundary having been *fixed irrevocably* upon a particular line, by England, she cannot go beyond it. In 1803 France conveyed to the United States whatever rights she acquired to territory by the treaty of 1763.

I think, Mr. Chairman, I have established that our title is "clear and unquestionable" to the whole of the Oregon territory between the 42d and 54° 40' of north latitude.

I will next proceed, sir, to assign reasons, which appear conclusive to my mind, that this notice should be given now, and the convention abrogated, that we may assert our title to the whole territory.

The gentleman from Alabama, (Mr. YANCEY,) asked if England has acted with bad faith, that gentlemen should be so anxious to abrogate this convention? I unhesitatingly reply, that she *has* acted with bad faith; that she has violated the spirit of the conventions of 1818 and 1827. By the terms of these conventions, the citizens and subjects of the two powers had a right of *trade* in the countries claimed by either party on the northwest coast of America, westward of the Stony Mountains, with the express reservation, however, "that this agreement is not to be construed to the prejudice of any claim which either of the two high contracting parties may have to any part of the said country," &c.

Now, sir, there is manifested upon the part of Great Britain a determination to hold *permanent* possession of a part of that country. They have twenty-two forts upon our soil, certainly not to protect themselves against the Indians, because they are generally the allies of the savages, and there is certainly a good understanding between them now. No other power save the United States claims the soil. Then why the erection of forts? Why this state of preparation? Sir, in my judgment, it would be right for this Government to break off negotiations with any power making active preparations for war, while attempting to settle a difficulty amicably. As soon would I parley with a man who was sharpening his knife to take my heart's blood. But I have other evidence of her determination. In 1837, the Governor of the Hudson's Bay Company wrote as follows to the British Secretary for the colonies:

"With care as has been so much British interest at coast of the Pacific."

Sir, mark care and protection of our country, as paramount."

On the 1st of July, 1837, the company in America."

"The possession of the territory is of great importance, and the establishment of a permanent population of agriculturists."

Not satisfied with the result of the convention of 1818 and the purpose of the convention of 1827, Mr. Chairman, Oregon, to the United States."

Mr. Chairman, Oregon, to the United States."

"Wherever engaged in trade, a number of hunters were offered free land of the United States to retire from the territory."

Again:

"As the fur trade began to turn to agriculture, the mills for grinding grain near Bullfinch."

The political situation of the territory settled determined permanent population upon the territory. The citizens included already the company, and the territory. But a conclusion of the territory. The people are a permanent population."

But, Mr. Chairman, the United States ten that, altho the United States be bound to had been in a position to refuse an agree that

"With care and protection, the British dominion may not only be preserved in this country, which it has been so much the wish of Russia and America to occupy to the exclusion of British subjects, but British interest and British influence may be maintained as paramount on this interesting part of the coast of the Pacific."

Sir, mark the pointed and significant language of the Governor: "With care and protection, the British dominion may not only be preserved in this country," "but British interests and British influence may be maintained as paramount on this interesting part of the coast of the Pacific."

On the 1st of February, 1837, George Simpson, esq., agent of the company in America, writes to Governor Pelby on the same subject. He says:

"The possession of that country (Oregon) to Great Britain may become an object of very great importance, and we are strengthening their claim to it by forming the nucleus of a colony, through the establishment of farms and the settlement of some of our retiring officers and servants as agriculturists."

Not satisfied with complying with the words and spirit of the conventions of 1818 and 1827, which authorized them to trade upon our soil, and for the purpose of strengthening the claim of Great Britain, they were "*forming the nucleus of a colony.*"

Mr. Chairman, I take the following extracts from Greenhow's History of Oregon, to show the committee the aspect of affairs upon our own soil:

"Wherever an American trading post has been established, or an American party has been engaged in trade on the Columbia, there appeared a Hudson's Bay agent, at the head of a number of hunters, or with a large stock of merchandise, or a large amount of specie in hand, which were offered for skins on terms more favorable to the Indians than those possessed by citizens of the United States; and the latter, in consequence, finding their labors vain, were soon obliged to retire from the field."

Again:

"As the fur trade in the countries of the Columbia decreased, the Hudson's Bay Company began to turn its attention to other objects. Farms were laid out on an extensive scale, and mills for grinding grain and sawing wood were erected near the lower part of the great river, near Bulfinch's Harbor, near Puget's Sound, and in other places."

The policy of the English Government, for several years past, evinces a settled determination, by "*forming the nucleus of a colony,*" to retain permanent possession of the country. Perhaps they have based their calculation upon a continuance of that line of policy which withholds from our citizens inducements to settle the Oregon territory, and leaves our people, already there, to struggle with the concentrated power of an incorporated company, without any certainty that their rights will ultimately be protected. But, Mr. Chairman, if the English Government has come to such a conclusion, they have again mistaken the character of the masses in this country. Although our affections cling around our family altars, and we rally the more readily to their defence, yet the patriotism of the American people is as broad as the land we inhabit.

But, Mr. Chairman, it is urged that the present Executive of the United States tendered to England the 49° of north latitude as the boundary, and that, although it was rejected by England, and subsequently withdrawn by the United States, yet, if it was now tendered by Great Britain, we should be bound to accept it. To this conclusion I cannot agree. If the tender had been accepted, we certainly should have been bound by it; but, as it was declined, and then withdrawn, the two Governments occupy the same position they did before it was made. The argument is, that we could not refuse an offer which we had been liberal enough to make ourselves. All agree that the President could not have made a more liberal offer, consistent

with the honor of our country; and yet, sir, in 1818 and 1826, we tendered to Great Britain the 49° of north latitude, *together with the free navigation of the Columbia river south of that latitude.* Now, sir, if we are bound, as gentlemen insist, to accept as liberal an offer from Great Britain as we have tendered, we should be compelled to accept the parallel of 49°, if offered, giving to that Power the free navigation of the Columbia river, south of that parallel. No member upon this floor will, I trust, so far forget the interests of his country as to surrender the free navigation of a river which flows through our territory. I regret, Mr. Chairman, that gentlemen, in their anxiety to compromise upon 49°, should have placed themselves in so false a position.

Sir, I have no hesitation in saying, that it is my deliberate opinion, after the most mature reflection, that, if England tenders the 49° degree of north latitude as the boundary between the two countries, or any other parallel south of 54° 40', it should be promptly and unhesitatingly rejected, "and our title to the whole Oregon territory asserted." I beg leave, Mr. Chairman, in this connexion, to state that England never will, in my opinion, compromise at 49°. The harbors and territory which she desires to possess are between the 49° and the mouth of the Columbia, and we shall be compelled to present to the world the humiliating spectacle of purchasing a peace by offering to surrender still more of our soil.

It may be well to recollect, Mr. Chairman, that the amount of territory gentlemen propose to surrender between 49° and 54° 40', north latitude, is about 100,600,000 acres, and that the people may regard peace purchased at such a price rather too dear.

The Executive, in his message, asserts the *fact*, that our title to the whole Oregon territory has been "*maintained by irrefragable facts and arguments.*"

In his message, the President states the following *principle*:

"Near a quarter of a century ago, the principle was distinctly announced to the world, in the annual message of one of my predecessors, that 'the American continents, by the free and independent condition which they had assumed and maintained, are henceforth not to be considered as subjects for future colonization by any European power.' This principle will apply with greatly increased force, should any European power attempt to establish any new colony in North America. In the existing circumstances of the world, the present is deemed a proper occasion to reiterate and reaffirm the principle avowed by Mr. Monroe, and to state my cordial concurrence in its wisdom and sound policy."

Now, sir, if it is the settled policy of this country that the American continents are not to be considered as subjects for future colonization by any European power, it applies to territory to which we have *no* claim, as well as to that which *belongs* to us; and, if we cannot suffer the powers of Europe to colonize parts of the American continent over which we have no claim, how can we surrender territory to which our title is "clear and unquestionable," upon which a foreign power can form the "nucleus of a colony?" I am decidedly of opinion, Mr. Chairman, that the joint right of trade in Oregon should terminate as soon as possible. The English are erecting forts, and forming the "nucleus of a colony," north of the Columbia. Our citizens are settling south of that stream. If this is suffered to continue, the Columbia river will become the boundary between the two countries. To extend our laws over the territory, and build forts, will be proper, as long as our citizens and the subjects of England occupy *different*

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portions of the territory. But, once let our people pass the river, and erect forts, where the cross of St. George, floating upon the breeze, comes in contact with the stars and stripes—let the English bayonet and the American rifle glitter upon opposite hills—while upon the same plains, to the blasts of the bugle dash the American cavalry, and the serried ranks of the English infantry move to the notes of the fife and the rolling of the drum—sir, let this state of affairs exist for two weeks, and insults will pass, blood would be shed, and the English or American flag would trail in the dust.

I am in favor of erecting forts and extending our laws to protect our citizens in Oregon. But with it I think we should *now* give the notice, as the only means to prevent a rupture with England, or the surrender of a portion of our territory.

A distinguished Senator, in the other end of the Capitol, (Mr. WEBSTER,) I believe, has expressed the opinion, that the people in Oregon should be left to select their own government, and if they think proper, to establish an independent republic, west of the Rocky mountains, they should be allowed to do so. Notwithstanding the ability of that distinguished Senator, I cannot bring myself to agree to his conclusions. The policy which induced the union of these States was no doubt partially based upon well grounded fears of their becoming rival republics. The Floridas and Louisiana were purchased, and Texas was annexed, to attach to us, by the indissoluble bonds of "the Union," territories that might have possessed the means of annoyance, if not the inducement, of becoming open and dangerous foes. The germ of strife and bloodshed have thus been converted into fraternal love. The history of all republics, Mr. Chairman, should learn us that it is far better for contiguous territory to be under one government, when interests are merged, and the welfare of all become the end and aim of the people, than to run the hazard of a collision, by creating the elements which will produce it.

The objections of that distinguished Senator may perhaps be founded in the policy of the Federal party, that our territorial limits should not be extended, based upon a disbelief in the capacity of the people for self government, and therefore a determination to confide the right to as few as possible, or in opposition to the acquisition of more territory, that the price of land may increase.

The hopes of the advocates for free government have been realized. The rights of man have been secured. The spirit of our Constitution and laws has spread from the Atlantic shores, far west throughout the valley of the Mississippi; the Rocky mountains have been surmounted, and liberty and equality cover, as with a shield, the American citizen upon the shores of the Pacific.

Sir, I might allude to the value of that country to the United States. I might dwell upon its excellent harbors, where our shipping can rest secure from the attacks of our enemies, in its passage between the two hemispheres, while exchanging the necessaries of one for the luxuries of the other. I could bring to the attention of the committee, the facilities which it will afford us for ship building—the vast amount of fir, white oak, pine, and live oak which cover the land. Upon her hills, the shepherd can tend his flocks; upon the plains, rich and fertile farms, covered with waving grain,

will reward the labor of the husbandman; her valleys, teeming with manufactories, will diffuse comforts throughout the territory; her lovely glens and beautiful cascades will be the admiration of travellers, while the soft breezes from the Pacific will waft to her lap all that can contribute to the health or happiness of her citizens. But all this affords me no greater inducement to assert our right to territory which unquestionably belongs to us.

But, it is said, Mr. Chairman, that there is no necessity for urging this question now. This has been the argument of England; for years she has objected to the adjustment of this question. Twenty-eight years, Mr. Chairman, is long enough to be discussing a question of territorial right. We have never gained much by negotiating with our ancient foe. Her statesmen are cautious and far-seeing. They are well aware of the *time* to press an unfounded claim, and can well judge of how many difficulties to adjust at once. When the treaty was formed ceding away the mountain boundary of Maine, as an equivalent for that unwarrantable cession, Great Britain ought to have had the *magnanimity* to relinquish an unfounded claim to any portion of Oregon territory, even if the American negotiator had *not* the *spirit* to ask it. Sir, we may see the artful policy by which English diplomatists are governed, by reading the following extract from the communication of Lord Aberdeen, in October, 1842, to Mr. Fox, the British minister at Washington:

"You are aware that Lord Ashburton was furnished with specific and detailed instructions, with respect to the treatment of this point of difference between the two Governments, in the general negotiations with which he was entrusted, and which he has brought to a satisfactory issue.

"For reasons which it is not necessary here to state at length, that point, after having been made the subject of conference with the American Secretary of State, was not further pressed. The main ground alleged by his lordship for abstaining from proposing to carry on the discussion, with respect to the question of the northwest boundary, was, the apprehension, *lest, by so doing, the settlement of the far more important matter of the northeastern boundary should be impeded, or exposed to the hazard of a failure.*"

A bold, prompt, and determined assertion of our rights should at all times be adopted by this country, but more especially at so critical a period in our history as the present.

I have been much surprised, Mr. Chairman, to hear gentlemen upon this floor, in glowing language, talk about the power of England and the weakness of our own country, as if *that* was to be taken into consideration by members representing portions of this powerful confederacy, when settling a question of territorial right. Why, sir, do they forget that we are six times stronger than when the stars and stripes waved in triumph over the flag of England in the first struggle; and that we have grown in strength since American valor proved victorious at the point of the bayonet, and broke the charm of British invincibility upon the sea? Why, Mr. Chairman, gentlemen might take courage from the spirited language of a young lady, who, from her position upon the northern border, is in as much danger as these gentlemen or their constituents. In a letter to me she remarks: "*I cannot say that I wish for war; but still I do not wish one foot of land to be given up that belongs to us; and if it cannot be done any other way, keep it at the mouth of your cannon.*"

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During that period of our country's history "which tried men's souls," the assistance and advice of the ladies was received and appreciated, and experience has proved, that in times of peril they are oftener right than the sterner sex.

A nation which hesitates to defend her rights soon ceases to possess the respect of the powers of the earth; one encroachment after another narrows her influence and contracts her territory, until ambition or avarice strikes her from the list of nations.

One of the most brilliant passages in the history of the world, and, at the same time, one of the most instructing, was the glorious stand taken by Frederick the Great, of Prussia, against the combined powers of Russia, France, and Austria, when they sought to carve up his dominions. The odds were fearful, but he did not hesitate to defend his rights, and before the war closed, he taught his enemies how terrible is the shock of battle when warriors are defending their homes.

The Gauls once proving victorious over the arms of Rome, laid siege to the Capitol. Struck with terror at the "power" of the Gauls, and their "defenceless" condition, they sought to "buy a peace." While the Romans were weighing the gold, the leader of the Gauls cast his sword into the scale, declaring that the fate of the conquered was submission. At this moment Camillus appeared before the gates, and the Romans placing themselves under his command, gained a complete victory over the Gauls.

Mr. Chairman, when the American people suffer their representatives to buy a peace, it will be when the deeds of our sires are forgotten, and valor and patriotism cease to meet the approving smiles of American beauty.

A proposition is gravely urged, to extend to the President the power to give the notice whenever, in his discretion, he may think proper. Would gentlemen throw all the responsibility upon the Executive? If we shrink from the discharge of a duty, will he feel authorized to assume the responsibility of giving the notice? He stands alone, without any one to divide the odium with him, if a disastrous war should be the result of giving the notice; and although I do not distrust his firmness, yet when a bold stand upon the part of this House is so much to be desired, as evidence to England of the determination of the people, it is strange that gentlemen will shrink. I do not know what will be the result of giving notice, but I am much inclined to believe, that it will produce a satisfactory and speedy adjustment of the question.

I am fearful, Mr. Chairman, that the wishes of the people are sometimes merged in a desire for president-making. They will certainly be held to a fearful accountability by their constituents, if there is faltering in the path of duty. The citizens of this country will promptly condemn any system of wire-working and double-dealing, any nice calculations of how much territory may be surrendered, or how far our rights must be extended, in order that any aspirant may be foisted into the presidential chair. A straightforward determination to assert the rights and honor of the country will alone meet the approbation of the American people.

My position was taken upon this question before my constituents. I see no reason, sir, for changing the opinions I avowed before my election. I am willing to be as explicit here as I was then.

If we can obtain the whole territory by negotiation, and that speedily, I,

as one individual, am willing that negotiations should be opened again for that purpose. I am opposed to arbitration or compromise. I would vote for a declaration of war sooner than surrender any portion of the Oregon territory.

Mr. Chairman, much has been said about the bravery of their constituents, by representatives upon this floor. Tennessee requires no eulogium from me. Her deeds are written upon many a page which adorns our country's history. *Although my constituents prefer the quiet happiness which peace confers, yet when a haughty power demands a surrender of our soil, or requires us to purchase a peace, I feel authorized to say for them, that their share of the tribute shall not be paid in gold, but in glittering steel and balls of iron.*

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