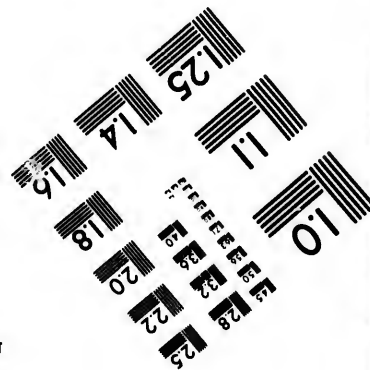
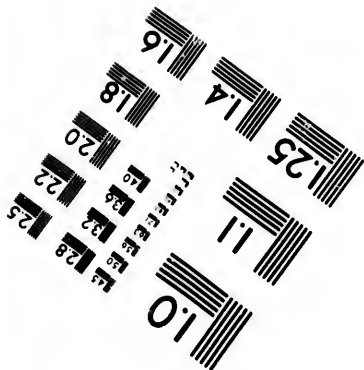
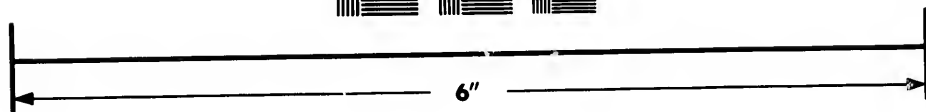
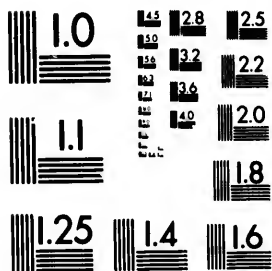


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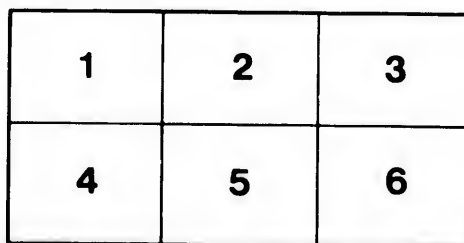
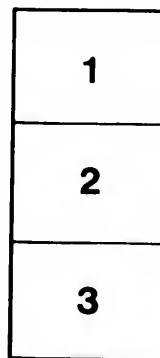
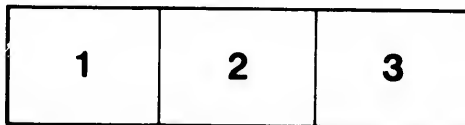
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SPEECH

OF THE

HON. WILLIAM S. ARCHER, OF VIRGINIA,

ON

THE OREGON QUESTION:

DELIVERED

IN THE SENATE OF THE UNITED STATES,

MARCH 18, 1846.

**WASHINGTON:
GALES AND SEATON, PRINTERS.**

1846.

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SPEECH.

Mr. ARCHER said that it had seldom occurred in the history of the country that a question more demanding honest and fearless discussion had been presented in Congress. The immediate subject of controversy, a territorial claim of vast extent, was important, but the possible issues of the decision were incomparably more so. The people had a right to look for a fair, not one-sided, exposition of the merits of the case, and true character and posture of the question, at our hands, disclosing the defects as well as the strength of the claim of the country, the impugning as well as the sustaining considerations, so as to enable them to render a sound decision on the conclusion to which their Representatives might arrive, by the results of which, as they might be affected favorably in one event, so they might realize very mischievous consequences in another. Above all things, it was desirable that they might be made to look at the question, divested of any of the prejudice or excitement which, if not previously existing from other causes, are so easily awakened and so effective in communicating distortion and false color to national disputes. Yet, what had we witnessed in the treatment of this question, not by the press only, but in the halls, too, of legislation? The material point, our exclusive title to Oregon, assumed on the *ex parte* arguments of advocates, our Secretaries of State; the joint occupation of England under convention represented as outrage, and all real investigation of these subjects put under the ban of an obloquy, which even firm men might be well reluctant to encounter; of collusive defence of a claim adversary to that set up for our country, in co-operation with a foreign Power. Imputation in the grossness of this last form had not, indeed, been directly expressed in the Senate; but even here the question had been represented as no longer one for argument, but the trial of nerve, patriotism, and sense of the honor of the country.

Mr. A. brought these things to view in no temper of offence, however it might be justified, nor for rebuke, however appropriate; but for admonition how far appeals of such a color, leaders of such a temper as their authors, were to be followed at such a time. The resort in this discussion was not to the people ultimately, as in ordinary circumstances and cases, but to the people directly now. Opinion was known to be undetermined—in fluctuation. It was to be moulded, and would shape the eventual disposal of the question in no long period. If influence was exerted; topics employed; fact or argument garbled, colored, distorted, to mystify or mislead, the public should be made to see the operation; warned to be forearmed and guarded. For his own personal part, (Mr. A. said,) he had no right to complain of the innuendoes and imputations he had referred to. He confessed himself justly open to them to a great extent. He admitted himself deficient in *nerve* to involve the country in danger, which, from his position, he was not to partake, or suffering which he was to partake in a small degree. He had no ambition of the cheap patriotism which was to be purchased by invectives against England in all seasons and places; and, as to the sense of national honor, he disavowed any which was sepa-

rated from justice. We heard much of the sentiment of Decatur, "Our country, right or wrong." If it meant any thing more than that we were to stand by our country at all events in war; if it meant that we were to sustain unjust claims if asserted for our country, blind her to their true character, and carry her into war for them; if these made the import of Decatur's sentiment, for himself he abjured it, and disclaimed it for his country.

The debate, (Mr. A. said,) worn out as it was, could have no attraction for any person. His purpose in partaking it was to do what he did not think had yet been done, at least with sufficient distinctness, not only to strip the question of factitious coloring, but, by separating it from considerations not inherent or important, to exhibit its real attitude and aspect. This required no pursuit of detail, brief space of time, or argument, to accomplish. Without investigation of the forms of resolutions and amendments on the table, the question, reduced to substance, was the great one of war or peace—war for all Oregon, peace with part. These were the alternatives, presented naked. Between these was to be the choice. The Senator from Ohio (Mr. ALLEN) had professed his purpose to prepare the hearts of the people for war; it was his (Mr. A.'s) purpose to prepare their minds for peace.

[Mr. ALLEN. I am sure the Senator does not wish to ascribe to me words I did not use. I take this occasion to repeat, what I thought I had oftentimes before stated, that, in answer to certain remarks made by the Senator from Massachusetts with regard to the mode this Government should adopt of quietly debating measures, and saying but little about them, I replied that I held just the opposite of those opinions; that I believed the whole state of the question, that all the dangers which the foreign relations of the country threaten to its peace, should be fully made known to the country, by open, full, and public dealings. And I remarked, in connexion with that subject, if it was essential to prepare public opinion and the minds and hearts of the people, by the frank disclosure of the real state of the facts, they ought to be stated, whether war or any thing else was to follow. It was not, therefore, a declaration, made independent of other questions, that I wanted to throw into the public mind, and excite in it a national predisposition to war. That was not my meaning, as the Senator will see; and I am sure his candor and justice will lead him to accept this explanation. And I repeat: I take not back one syllable of what I uttered then. It is printed and corrected by my own hand; it stands there, and I abide the event, whatever it may be.]

Mr. ARCHER resumed. He had no disposition to impute to the Senator any sentiment he disclaimed, nor any intention to charge him as the reckless advocate of war. He had supposed the Senator conceived that war would be demanded by the exigencies of the question, and had therefore employed his expression that the hearts of the people should be prepared for war. In such an aspect, so they ought; and, if the Senator viewed the question in that aspect, as, with his opinions, he ought to view it, and if consistent, must view it, he was right to employ the expression. It was his duty in such a contingency to prepare the hearts of the people for war. The adoption of his views ought to sound as a war trumpet through the land. It was because he (Mr. A.) did not partake those views, regarded the question in the directly contrary aspect, believed that nothing could be less demanded than war, however it might be brought upon us, that he

espoused the opposite office, invoked the preservation of peace, and desired to prepare (not the hearts, which he hoped were prepared) the minds of his countrymen for the reception of these opinions.

The question was, then, of war; and, if it came, war of what sort? To be estimated in its mischief by men slaughtered or ships sunk? This would be a most erroneous view of the subject indeed. No; it would be a war marked by the largest destruction of the elements of human prosperity recorded in human history. It would be marked by another peculiarity—that, to the account of injury which the parties should sustain directly, the waste and impairment of resources they must respectively incur in the conduct of the conflict, must be added, in conclusion, the amount of all the injury of the same kind they would inflict. The elements of the prosperity of the contending Powers were blended in a union which made it impossible to strike them apart, so that the blow would not recoil on the hand which had given it. The hour of termination of the conflict, the day of the restoration of intercourse, must come. Suppose our adversary prostrate, sinews worn out, resources exhausted: where were you to look again for the resources which had supplied the main element of your growth and power, and which would be so much wanted for their renovation after exertion?

Our declamations were habitual on the subject of the probable destinies of our country in the development of prosperity, social improvement, and power. And on this point it seemed difficult, comparing past progress with causes, to indulge exaggeration and extravagance. Realities would be transcended; certainly speculation might be. But the mystery of this progress of development was a talisman, and that talisman was peace. On peace depended the expansion of commerce; on this expansion depended the growth and the application of productions; on these the developments of prosperity, improvement, and power—the verification of visions, the highest interests and the best hopes of humanity.

This war, then, was to be of a character of peculiar destructiveness, should it come. Would it come? Here was a territory held in joint occupancy between ourselves and Great Britain; the question of title suspended for thirty years. At whose instance? Ours! The proposition of this state of things had come from us, and had been resisted in the first suggestion by Great Britain. Were we, in these circumstances, to seize the whole subject of controversy, adjust the dispute by the strong hand, and deal thus with a Power the most rapacious, we were told by those who incited us to this course, and the most arrogant as well as the most formidable in the world? Would the most contemptible Power, the least excitable, submit to it? Was the rapacity which sought indulgence in all quarters, armed with the most formidable power, to have the possession already in its grasp torn away? The arrogance which never submitted to law or restraint, to lie down passive and quiet under this contumely? Was all this reversal of nature to take place—Canute giving law to the wave? But this was manifestly the only condition of peace, if we carried our claim over all Oregon. Was there question, then, whether we were to have war in this event?

When nations incurred war in the era of civilization to which the world had arrived, important related questions were presented for their own consideration and that of the world. He had reference to no general declamations on the anti-christian, the immoral character of war. He knew that

these declamations, however entitled to regard, weighed for nothing. But others there were which did weigh, offering themselves for discussion, in regard to this and all war, which would form part and parcel of the judgment to be pronounced on it. Would the war be a war provoked on the part of our adversary? Would it be a war necessary for the attainment of its alleged purpose, or even conducive to it? Would it be a war consistent with the obligations of the national faith and reputation? Would it be a war for something which certainly belonged to us, without which it could not be just war? And, finally, would it be a war of which, even in success, the fruits would be advantageous? These were the inquiries which he meant (Mr. A. said) to review, and to every one of which he had no fear but that he should be able to prove a negative, and a clear one. And then it would be for the people to say whether they would have a war of such a character for the difference between the whole of Oregon and the far most valuable part, of which we already occupied the larger share, and could have the remainder if we elected to settle the controversy by amicable division and adjustment.

Would, then, this be a war provoked by our adversary? It had been seen already that the two conventions, in virtue of which the territory of Oregon had been held for thirty years in a joint occupancy between this country and England, had been entered into on the proposition of our negotiators. In the instance of the formation of each of these arrangements, it had been declined in the first suggestion, by the negotiators on the part of England, and yielded only to the reiteration of our instances. If England were in possession, then, of any of our rights in Oregon, the fact of this possession was not to be imputed to her, nor could the continuance of that possession constitute provocation to us. She had in no respect departed from the terms, or violated the intendment, or intruded upon the conditions, or complained of the operation, or impugned the character of these arrangements, which we had put upon her. She had, indeed, pursued her people in Oregon with protection, in the form and the measure she was authorized to do—not beyond them; and she made no obstruction to the exercise of the same extent of privilege on our part, professing to have no objection to offer to it. The compacts between us may stand for her. If to be disturbed, ours is to be the disturbing hand, and this hand to seize the whole subject of controversy, as the form of the disturbance. This will have been the mode and source of the provocation to war, if it is to come.

Next, will it be war required for its object, the obtention of Oregon, or even be conducive to it? No man denies that Oregon is under a process of migration and settlement on the part of the people of this country, which must, in no long time, secure to us the whole. Our people go there by thousands, the English by units; and the disproportion augmenting in our favor every year, under the rights of the common occupation. What more effective, more assured process for obtaining the whole country, thinly occupied as it is by English subjects, than this? As was well remarked by the Senator from South Carolina, (Mr. CALHOUN,) if we go into war for all Oregon, we may come out with none of it. But can we fail of getting all, if the process of occupation, under the right of joint occupancy, is to operate for us with a thousand times the effect it does for our adversary, and the proportion of effect varying each year in our favor? WE MAY lose the country by war; WE MUST GAIN it by peace. If we go to war in these

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circumstances, will not the appearance be, and the fair conclusion, that it is the war we aim at, (it may be for other causes,) and not the territory?

No impeachment of this inference can be drawn from the suggestion, that our people going in such numbers to Oregon, we are under obligation to follow them with protection. Certainly! And what is to obstruct our doing so in the fullest manner, with no disturbance to the present state of things? What is the guaranty of security, good order, legal protection, in all forms and extent, which we are not at full liberty to give under the convention? What is the single reserve to the completeness of this declaration—the solitary franchise which we are under obligation to withhold? But one—the allodial title to the settlements our people may make—the grant of title deeds! And of what consequence is this to them? Have not all our Territories, now forming so many States, been first occupied and settled in the same condition? The settlers preceding, the portions of land selected, the confirmation and full ascertainment of title following in due time, in full time—that is to say, as soon as, from the multiplication of occupants, there may be dangers of collisions in occupation. Have our pioneer population in the Territories any fear on the subject of their rights of pre-emption? Will they have any difficulty in obtaining the titles on them? Has not the disposition to favor this class of our citizens run notoriously into abuse? We promise pre-emptioners titles before they settle. They have never had cause of dissatisfaction—never been incommoded by delay of their full titles. What is there to hinder us from promising the emigrants to Oregon similar confirmation of title when our conventional arrangements put us at liberty? In the interval, there is no authority to disturb their possession and improvement, which is valid under the convention, and differs from property in full title in nothing but the form and the name. There can be only a single source of disturbance of their possession and eviction, letting loose in their territory a force superior to their capacity of resistance; and this can only be the bequest (as probably it would be) of war to them. The unquestionable interest of the settler, in this respect, runs with the unquestionable interest of the Government.

Then this war will no more, if it occur, be a war required by or conducive to its object, than it will have been a provoked war. It will be not only a war not necessary, but adverse to occasion and necessity; without pretext to give a color to it. Next, will it be war consistent with national faith and reputation?

Our alleged clear and unquestionable title to the whole is made the justification of the seizure of the whole territory. Let the unquestionable title to the whole be conceded; still the conclusion will not follow from this assumption. Why? Another element comes in to intercept and qualify the conclusion. Our title goes back to the dates of our conventions. In 1818, in 1827, we alleged we had full title. Then we had the power to alienate, transfer, or recognise modified title in others. We might have made relinquishment or transfer, in whole or part, fully or under modification. Have we not done so to Great Britain? If we propose to her a joint occupancy; force it on her acceptance; permit it to continue thirty years; in the interval offer four times a division nearly equal of the territory; press at these several times this proposition—does all this amount to no relinquishment of part of our supposed full right to the grantee and recipient of so much concession? Is it to be construed as involving no recognition of right of some character, to some extent? Suppose it were to be held as only an

argument of comity, concession to the advantages of commerce with Great Britain, or the love of peace—does not the same argument of high policy apply now? The same considerations of interest or of reputation, are they not entitled to weight now, if they were entitled to it formerly, at the inception of the conventions?

If he were asked, then, (Mr. ARCHER said,) where was Great Britain to find a claim to set up against the United States, his answer was, if not from discovery or Spain, or elsewhere, from the United States. If Gray gave us good title to the whole country, or Spain distinct from him, or France by treaty, or Lewis and Clarke by exploration, or Astor by settlement, or England by restoration of Astor's settlement, we had all these grounds and forms of title as complete as we have now when we made our last conventional concession in 1827. What is all ground of title to any thing, to property in any form? Conventional recognition. By this private property is held—on this basis national rights repose, and derive from it their authority. On this basis England has a claim to participation in this territory. He thought this her only ground of just claim north of Vancouver's island and Frazer's river.

It would not, then, as he (Mr. A.) thought, consist with the concessions we had made to England, with the faith which was implied in those concessions, and the reputation for upright dealing in all things, which was worth more than Oregon, to set up pretensions which would exclude England entirely from Oregon.

He had been placing the argument on this point (Mr. ARCHER said) on the assumption that our title in 1827, when we made the last convention with England, was undoubted to the whole of Oregon; and he had been contending that still there were imperative considerations relative to the position in which, by that convention, we had placed ourselves, requiring abatement at our hands of this extreme pretension. But the more direct question intervened, Were we invested in fact with this indisputable title to the whole of Oregon? It was matter of delicacy to draw into question a claim which had been set up for one's country; but it was matter of much higher obligation of duty not to permit our country to be plunged into war on false grounds of claim, in ignorance of their inadequacy, and from want of exposure of this fact. The delicacy and the difficulty, however, in this case admitted of reconciliation. The essential part of the claim of our country did rest on valid title. It was the part of inconsiderable value, of value far below the cost of asserting it by force, which alone would be lost by compromise through division, the title to which was liable to be impugned. The removal of the persuasion of title, as regarded this part, would be a service, not a disservice, to the country.

What he proposed, then, on this part of the subject, was the examination of the extreme claim which had been asserted to the parallel of latitude of $54^{\circ} 40'$. If he could succeed in disproving that, then the way was left open to adjustment by division of the territory, the exact conditions of the division remaining the subjects of arrangement by negotiation.

The claim asserted to the line of $54^{\circ} 40'$ rested for its support entirely on the title of Spain, which had become the subject of concession to us by the treaty with that Power of 1819. No other of our alleged grounds of title ranged to that extent. In removing this ground, therefore, the object which he (Mr. A.) had in view, of restricting our claim within this ex-

treme extension, and so allowing room for compromise by division of the country, would be effected.

Did the Spanish title, then, give us the extreme claim we founded on it? Was this form of our title, as alleged, invulnerable? Ridicule had been attempted to be cast on this title of Spain, as derived under the Papal bull of 1792, which made partition of all newly discovered countries between Portugal and Spain. He (Mr. A.) did not regard this ridicule as just. All modes of title to property, as he had already had occasion to say, traced back to conventional arrangement in some form. This was as true of the national as the municipal forms of property. An assignation of property by the Pope was as much entitled to observance and respect as any other, if men and nations agreed that this should be the established mode of assignation of title. It was the fact of the agreement, not the reasonableness, which gave the character of law and the force of obligation to the arrangement. In this predicament of fact, a title from the grant of the Pope would be as valid as any other which the same foundation of ascertained consent could establish among nations. The object of all rules was to exclude controversies, have peace; and any rule distinctly assented to and recognised was good. The defect of the title of the grant under the Pope was, that it had never had assent, except of the two immediate parties to reap the benefit; and therefore never attained to the character of a rule of public law. From an early period, after annunciation, it had been contemned and disregarded. All the establishments on the Atlantic side of the North American continent had been founded in contempt of it, and therefore it was that it was null.

Had the Government of Spain any better title to the northwestern coast of America? Undoubtedly the vessels of this Power were the first to sail along the coast to a point higher than the line of $54^{\circ} 40'$ of north latitude. If this might be called discovery, (one of the admitted sources of title to waste territories and countries,) was it ever perfected in the mode which the validity of title from this source demands? It is matter notorious and undeniable that it was not; has never been. Settlements made by Spain north of latitude 42° had been abandoned certainly before the transfer of her title to us.

Had Spain any other or further sanction to her claim of title? She might have had the ground of prescription. Claim without foundation, having long and sufficient acquiescence to uphold it, may be rendered valid in national law, as in municipal law. The title of Spain to the whole Pacific coast, on the ground of discovery, had been always asserted, never acceded to. It had been contested by England, contested by Russia, contemned by ourselves. This last predicament of it was decisive in the present discussion. We could set up no pretension after we had acquired it, which we had invalidated before it had been acquired, and with full knowledge of it. This was the case incontestably with the title of Spain. We offered in 1818 to make a disposition in full title of the whole territory in arrangement with England, with no regard to the title of Spain. The Secretary of State had argued that, of two titles acquired separately, one might be brought to sustain the other, even though the first had been denied before it was acquired. But this could, in any event, be true only of titles which did not stand in repugnance to each other. Now, the title which we claimed under Gray did stand in this repugnance to the title which we had acquired under Spain. If the force we ascribed to the dis-

covery of Gray was just, Spain had no antecedent title. If she had, our claim was dishonest intrusion on hers. Right by Spanish discovery left no room for our right by subsequent discovery. Or if there had been room for right by our discovery, it could only be from the absence of right under Spanish discovery. Gray and Heceta could not both give claims to discovery of the same river, because, supposing either valid, one must have been consummated before the other supervened. Our title might, indeed, be indefeasible under either taken separately, and our people elect, there was little question, to stand on that of Gray.

The view of the subject which excluded the Spanish title put aside, of course, all occasion for discussion on the subject of the Nootka convention. But supposing otherwise, there had been very undue importance attached to this Nootka convention, founded on what seemed to him (Mr. A.) a very mistaken apprehension of its proper character and import. The argument of the Secretary of State was, that the whole pretension of Great Britain to title in Oregon rested on this convention with Spain; that this convention had been terminated by war between these Powers; and that the effect of the subsequent treaty between them revived treaties of commerce only, in the number of which, that convention was not to be included. The conclusions in this argument did not require to be examined, as they fall with the basis of it. The pretensions of Great Britain were not derived from the Nootka convention. It was not necessary, to support this proposition, to refer to the terms of the convention, which did not sustain, or to the preamble, which clearly excluded, any such deduction—the terms carrying no import of the concession of rights by or to either party, the preamble importing mutuality of arrangement, which excluded the idea of such concession. The very fact of the existence of the convention was conclusive in disproof of the character imputed to it. The convention was framed in termination of a controversy which had proceeded to the eve of rupture and war. Rupture and war for what? The breaking up of an English settlement on the coast by Spain, on the alleged ground of its intrusion on the exclusive jurisdiction and sovereignty of Spain. Did not this vindication of a right of settlement by England import the denial of the exclusive sovereignty of Spain? And the effect of this convention—was it not the vindication of this denial, and the placing it on impregnable ground in virtue of the concessorary arrangement on the part of Spain which the convention established?

Why should England make complaint and menace war, if it was she, not Spain, who had committed the violation of jurisdiction? What else was the appeasatory arrangement of the convention, but an admission of injury to England, and that injury consisting in the assertion against her of the claim of exclusive jurisdiction theretofore of Spain? The convention then established, in place of the proposition that the claim of England to a right of settlement in the territory had been derived under or from Spain, that, on the contrary, it had been exercised independently of Spain, and against her ineffectual effort to resist this exercise, successfully asserted, and vindicated effectually. The language of the English negotiators, in the conduct of the controversy with us on this subject, had uniformly been conformable to this view of the character of the convention. The language of the English commissioners in 1826 was, that if the **CONFLICTING CLAIMS** with Spain had not been "**FINALLY ADJUSTED** by the Nootka convention, 'and all arguments and pretensions definitively set at rest by the signature

' of that convention, nothing would be more easy than to demonstrate that
' the claims of Great Britain to that country, as opposed to those of Spain,
' were so far from visionary or arbitrarily assumed, that they established
' MORE THAN A PARITY OF TITLE to the possession of the country in ques-
' tion, either as against Spain or any other nation." They add, that the
rights of Great Britain are "*recorded and defined in the convention.*"
They speak of them as "fixed," never as created by the convention; treat-
ing this instrument as evidence of a recognition of these pretensions, never
as importing any grant or institution of them.

This, then, was the view (said Mr. A.) in which this convention was re-
garded by Great Britain, and in which she was authorized by the circum-
stances and history of its formation to regard it. But the inference derived
from the opposite view, that this instrument was to be regarded as the ex-
clusive source of the British claim which had expired in its extinction, was
the sole basis of our extreme claim to Oregon to the latitude of 54° 40'.
In the failure of this inference, our claim in this extreme extent fell. None
of our other grounds of our claim taking it to this extent, it was not re-
quired (Mr. A. said) by his purpose to institute any rigorous examination
of them, that purpose being, by showing that we could not claim clearly
to this extent, to let in adjustment by arrest of the claim short of this point.
It might not be an unadvised course, indeed, when the question was of the
assertion of our claim by the extreme mode of force, to look into every
ground assigned for it with narrowness, to have assurance of its impregna-
bility. The ground of title from the discovery of Gray had been that the
most insisted on. His friend, the Senator from Maine, (Mr. EVANS,) had
disclosed perplexities and difficulties surrounding this foundation of our
claim which it might not be found easy to resolve. He (Mr. A.) could
suggest others, which he had been surprised should have escaped the pene-
trating observation of that Senator. He (Mr. A.) chose not to advert to
them, with the exception of one which he had to commend to the attention
of the patent constitutional constructionists of Democracy. Their doctrines
recognised no substantive power in our Government, which was not found
by name, was not directly expressed, in the Constitution. The power to
acquire territory had been regarded as of a character so highly substantive
as to have fixed a limitation in the Constitution on acquisition in even the
confined form and extent of a few acres for forts, arsenals, or dock yards.
Even this moderate exercise of the power was submitted to the consent of the
State Governments. In what mode of interpretation, then, was to be derived
the huge anomalous faculty of acquiring twelve and a half degrees of
latitude, by the process of its discovery by an individual, and he not acting,
or professing to act, or claim, on behalf of the Government, more than by
its authority? Discovery was not one of the titles to authority to be found
in the Constitution, though it now appeared in recent construction to be a
very large one. We were not without authority, indeed, to make acquisi-
tion of territory to the extent in question, under the Constitution. But the
form of exercise of this authority was by treaty, and discovery was no ex-
ercise of a treaty-making faculty. By this mode of treaty and its sequences,
he (Mr. ARCHER) was of opinion that we had acquired *impregnable* title
in Oregon. It did not reach to the extent of latitude 54° 40', however, and
presented, therefore, no valid obstacle to the mode of compromise by di-
vision of the territory, as the only available avenue to adjustment of the
controversy, except at the expense of consequences of far greater cost than
the value of the territory.

Mr. ARCHER went on to say, that he persuaded himself that he had not been unsuccessful in establishing the propositions he had announced for his discussion, that the pressure of our claim to the whole of Oregon would lead to war; that the war would not be one provoked by any offensive conduct of our adversary; would be inconducive to its object, the obtention of Oregon; would as little be conducive to the reputation of the Government for adherence to the requirements of its conventional arrangements; and, finally, would be waged for a claim which was not sustainable in the extent to which it would be asserted. If these propositions had been sustained, the conclusion could not be resisted, nor made a subject of question, that the controversy for Oregon ought not to be carried to the resort of war, but referred to a less violent form of adjustment.

And now he wished to lead attention to the consequences which might be anticipated from this war, which presented to his mind, in the views he had been led to take of them, topics for the gravest and most anxious reflection. He had no reference in this allusion to the ordinary forms of casualty and injury, the characteristics of all war, especially on a large scale. These were heavy enough, surely, in persons not divested of sobriety by the presence of some DOMINATING CONCEPTION, to induce the extremest forbearance in the resort to war, if not demanded by an imperative exigency of national interest or honor. The more obvious forms of the calamity of war—destruction of men and ships, waste of money and property—had the least claim incomparably in estimating the amount of this calamity. It was not what marked the progress of war, but the sequel, that had the first claim to estimation. Circumstances attendant on the progress pass away; those which attached to the sequel endured for long continued influence. And such were going to be the circumstances attaching to this war with England, if we should become engaged in it.

Some of these circumstances, the most obtrusive because the most essential, it was his purpose (Mr. A. said) briefly to consider. He was in no condition to expand the view of them, however they might merit it. He began by discarding from account all notice of military or naval disasters or loss. He believed that his countrymen would always be found sustaining fully the reputation we had earned in naval and military conflict; and that in this war, if it came, they would add largely to the national titles to renown. This he stated from the fullest conviction and belief. The purposes of his argument required that he should go further than this in admission. He conceded that, with no interruption, we should triumph on every wave, be the victors on every field; that no current of adverse vicissitude or accident might be expected to come athwart the stream of our success to break it; that the freest vision of the Senator from Ohio (Mr. ALLEN) on this subject might be realized. That honorable Senator indulged the impression that this imbecile Power, England, would not venture on war with us single-handed. Why, then, single-handed? Why not double-handed? Was not the favorite theme of the Senator from Ohio, the vigilant propensity of the great Powers, in alliance with England, to pounce on this seductive exemplar of ours, of the pernicious vitality and perilous progressiveness of free institutions, to extinguish it before the attempt might be too late? What occasion more favorable than this of war with England for the indulgence of this propensity and policy? Then the probability in this view was not, as the Senator supposed, that we should

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have no war with England, but that we should have war with more than England in association with her.

Not concurring in the supposition, however, he (Mr. A.) would not reason from it. But he insisted that England, despicable as she was described in strength, might be trodden into war. The worm, trodden on, will turn, and, feeble as it is, may sting. He (Mr. A.) assumed that if we terminated discussion, seized the entire subject in controversy, and this, too, accompanied by great, however just, vituperation of England in our public councils, England, in all her imbecility, and however signal the indiscretion, will be exasperated into war. Let us suppose this, and that the first result will be to realize the luminous conception of the Senator from Ohio, that the English fleets, in place of agglomerating on our coasts, as might have been expected, will, at the first onset of war, take to their winged heels, and huddle for defence around the mother country and the colonies. Even in this view, and assuming they were never to turn again, we must still make provision for defence, as if they were at any time to be expected on our shores. Well, excluding from calculation the large consideration of naval and maritime armaments, what is the reasonable estimate of the provision for land security and operations which will be required? He preferred (Mr. A. said) to substitute the estimates of the honorable Senator from South Carolina for his own. His estimate was for seven armies, which would be required, to be composed of not fewer than two hundred thousand men. To these was to be added (Mr. A. said) a consideration peculiar to our forms of force. Regular force we could have to only a moderate extent. We would have to depend on draughts of citizens for periods of three, six—let it be twelve months. A force of this kind was known, in its wastefulness, and the expense attending frequency of change and distant removal, to involve a much larger proportionate cost than any other. The provision must be for the expense of a considerably larger force than two hundred thousand men, admitting these to be sufficient. Whence were the resources for this and other expenditures to come? The resource from customs must be nearly cut off in the inevitable interruptions to commerce. Direct taxes, excises, loans, must be the dependence. Whence was to be the resource to pay these, if our markets for a great part abroad were to be cut off, and the portion, or the proportion of the products of our industry which might reach market, by the effect of insurance and the loss from indirect communication, to be greatly impaired?

The expense, every one knew, must be supplied by loans. If, from the sources of taxation, enough could be derived to pay the interest on loans, and so sustain the credit of the Government, that was the best to be expected. We should be precluded, from various circumstances not necessary to be adverted to, from effecting loans to any extent abroad. The reliance must be on domestic resources. How long could we stand this? The estimate of Mr. Gallatin is, that the expenditure must be seventy-seven million dollars a year; fifteen or eighteen millions to be raised by taxes, sixty millions or more by loans. The Senator from South Carolina thinks these estimates too low. That (Mr. A. said) was his own distinct and well-considered opinion. But suppose the estimates correct, how long would our capacity of standing up to the contest last, or with what results? The conflict must be expected to be enduring, as neither party was a Power to be subdued. The Power that,

for a great part of twenty years, a portion of the time with the resources of all Europe at his control, withstood the hostility of Napoleon without succumbing, could not be expected speedily to quail in our conflict. Our loans to sustain the war, after a short period, must be drawn entirely from banks. Affording loans to the amount of sixty-two millions a year, (Mr. Gallatin's calculation,) our banks must speedily become unable to sustain a specie basis. Our Governments, Federal and State, as in England after the trials of 1797, would find themselves constrained to authorize the departure from a specie basis. We should then have the rush of the unresisted paper system—not the paper system of the war of 1812, when we paid forty per cent. on loans, but of the war of the Revolution, when paper alone, depreciated past computation, was the only medium of exchange and standard of value.

In proportion to the depreciation of the currency and the multiplication of Government demands for loans, the amount of loans required must augment with each year. To what must the amount swell in a few years? When peace came, besides that cruellest of all the trials through which a social community can pass, the restoration of a ruined currency to credit, what would be the amount of debt we should have to meet with provision? The Senator from South Carolina says seven hundred and fifty million dollars for ten years of war. Let this be the amount. How are you to meet it? Revenue from commerce will have passed away. Manufactures, crushed by the denial of external supply, will have covered the land, to exclude any other than the most penurious supply of revenue from the custom-house. Your resources to pay the interest of this debt in peace, (not the debt,) as to pay it in war, must be direct tax and the hateful excise—excise mainly on manufactures. You will not be able to break up or reduce to proportion the prevalence of the manufacturing system. It will have found its unnatural expansion in the unavoidable incitement of war, in the unavoidable incitement of your pledged and committed legislation. You will be unable to break it up, from its extent. The attempt would induce convulsion. You will be forbidden to make the attempt, for your pledges will be a bridle on you. Our whole economical system, with our whole financial system, which depends on it, will have undergone convulsion, overthrow, revolution—convulsion unappeasable, revolution to which no remedy can be brought.

But this (said Mr. A.) was far from the worst view of the mischief that was to come. We could get on with an economical system in derangement, a financial system perverted and in disorder; but what was to come to our social system? The war would last long. It would wax fierce. In proportion to the duration and the fierceness would be the change which always came from long war in the temper of the people. The effect was as inevitable as the progression of the seasons—a moral law. The military would take the place of the civil spirit—the military of the civil men. The proneness of the people to abasement to military success, the proclivity of military success to abuse—trade winds were not more inevitable and regular. In protracted war, contempt of law became the law. When the military men wanted to supplant the civil administration in the first French revolution, the cry was, "Throw the lawyers into the river." This cry carried every thing. Arms and laws do not flourish together. Among arms the laws are silent, says the adage. The Senator from South Carolina has supposed that we should have the general of the army of Texas

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contending with the general of the army of Canada for the first magistracy. Marius and Sylla—Cæsar and Pompey. Perhaps so. But suppose things not so bad; that our generals, in place of rending their country by arms, submit in war and after war to the forms of election—take office from the hands of the people. Is a military ascendancy less inevitable? Have not our people, as in all the popular States of which history gives us any record, already instructed us in the catastrophe? Will they have any other than military men in high office—with the spirit of command, and contempt of civil control, which defines the real and eminent military man? If this were to be a war, then, as it had been said it would be, between the republican and monarchical principles, the conflict would be at home—among ourselves; and the first were certain to succumb, and the last to be triumphant. He (Mr. A.) had heard the suggestion that, under the severe pressure of the distress in the continuance of this war, the Union might give way—break up. He did not concur in this apprehension. War raging, till honorable termination had been reached, our people would never sunder. But the case was different entirely when, in the restoration of peace, a military dynasty, in the forms of our republican institutions, would supervene. Then the heart of the patriot would be turned to disruption, the impulse at once of incontrollable feeling, and the dictate of invaluable duty.

Such (Mr. A. said) were some of the consequences—they were only a part—which might come, which he believed in his inmost heart, to a great extent, would come, from this war proposed for Oregon, if it occurred. What were to be the compensations, independently of these ulterior considerations, for the ordinary sacrifices in blood and expenditure which the war would involve? Not Oregon. That was too small a thing to think of. Still less a part of Oregon, or the use of a river, (the Columbia,) with a hundred and twenty-five miles of available stream, and fifteen miles of nearly impracticable and absolutely irremovable shoal at the mouth of it. The compensations were to be the occupation of the English territorial possessions in our neighborhood. Well, suppose these occupied, as probably, not certainly, they would be in the progress of the war—what were we to do with them on the restoration of peace, supposing (what was impossible) that we were not to restore them as the indispensable conditions of peace? Retain them as parts of our Confederacy? That would be the signal for the dissolution of the Confederacy, which would break to pieces, too, in no long time, under the weight, even if this were not to prove the signal of dissolution. And was it certain that these provinces would be willing to come into our Confederacy? They had been fostered in attachment to monarchical as we to republican institutions. Were we to force their inclinations, put our institutions on them as a yoke? That would, indeed, be the policy of a part of our people, but not, it must be presumed, of the majority. Were we to restore these possessions? Then, where was to be the compensation for all the enormous cost in blood and treasure of the acquirement? Was it to go in satisfaction for that worthless part of Oregon—the only part that England was not ready to surrender to us to-day? Or were we to establish these British provinces, if we did not wish to take them, or they did not wish to come to us, as an independent republican confederacy? Then the cost of suffering and blood of our people would go to their establishment, as a great neighbor, and therefore rival, in place of a foreign Power.

He (Mr. A.) had now given a sincere expression of his views of the policy of asserting a claim to all Oregon. There was a topic in connexion, to which he was reluctant, and yet thought it necessary, to advert. It had been brought into the debate on the other side of the chamber, and this put him at liberty to make the allusion to it. The authority of the Baltimore Convention had been openly invoked, in the discussion, as one of the appropriate means to influence it. It was proper that the people should be made acquainted with the fact, and with the fearful bearing of this appeal. The Baltimore Convention! What was it? The authority of an association unknown to the institutions of the country, made the subject of appeal to control the legislation of the country! This body, really self-appointed, or nearly so, convened for an alleged specific object, to carry into effect an assumed public sentiment in relation to that object. Its *first proceeding* had been to discard the admitted public sentiment which it purported to have met to effectuate. Its notorious course of proceeding had been, not to receive but to make a public sentiment, in substitution of that which it professed to have been sent to execute; and then to raise political issues which might be inflamed in aid of this operation. A junto, with no authority of any kind, or acting in admitted contradiction and violation of its professed authority, had been successful in dictating its most important election to the country; and its authority was now employed, on the *prestige* of that success, to dictate the legislation of the country on a subject of the most vital importance. This was the first open avowal the country had ever known of *Jacobinism* in its halls of legislation. It was yet to be seen how the avowal would be received.

A supposed peculiar Western interest on this subject of Oregon had been adduced to explain the propensity to extreme measures manifested in that quarter of the country, and by its representatives here. He (Mr. A.) did not ascribe the vehemence of this propensity to the influence of any such selfish consideration. But he did ascribe it to a peculiarity of Western temperament, the incident, perhaps, of their stage of social condition. The people were notoriously brave; but this bravery ran into recklessness of all consequences in controversy with foreign Powers. They were as undoubtedly generous; but they had the quality too often found in alliance with spirit and generosity—impatience of resistance to their views, and the disposition to domineer over it. He (Mr. A.) admitted his indulgence of an extreme anxiety on the subject of this Western temperament, not in relation to the present instance only of its display, but the large future which was before us; the political power of the country being destined, probably, to pass to that region, before this temperament passed away from it, under the influence of its only corrective, diffused education. Rumination on this topic, he had to confess, had for some time kept him in terror.

Yes, "westward the star of empire holds its way." The fact was as true as the expression was poetical. Great results were probably to come. His (Mr. A.'s) prayer to Heaven was, that, before this planet of power culminated, its beam might so refine as not to wither our enjoyment of freedom at home, and not to affright other climes and times, which a tempered brightness in our example might lure to the admiration and the adoption of popular institutions.

