## IMAGE EVALUATION TEST TARGET (MT-3)



Photographic Sciences Corporaticil


## CIHM/ICMH Microfiche Series.



The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibllographically unique. which may alter any of the images in the reproduction, or which may significantly change the usual method of filming, are checked below.Coloured covers/
Couverture de couleur

## Covers damaged/

Couverture endommagéeCovers restored and/or laminated/
Couverture restaurée et/ou peliculéeCover titie missing/
Le titre de couverture manque
Coloured maps/
Cartes géographiques en couleur
Coloured ink (i.e. other than blue or black)/
Encre de couleur (i.e. autre que bleue ou noire)
Coloured plates and/or illustrations/
Planches et/ou illustrations en couleur
Bound with other material/
Relié avec d'autres documents
Tight binding may cause shedows or distortion along interior margin/
La reliure serrée peut causer de l'ombre ou de la distortion le long de la marge intérieure

Blank leaves added during restoration may appear within the text. Whenever possible, these have been omitted from filming/
II se peut que certaines pages blanches ajoutbes lors d'une restauration apparalssent dans le texte, mais, lorsque cele était possible, ces pages n'ont pas été filmées.

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.Coloured pages/
Pages de couleurPages damaged/
Pages endommagées
Pages restored and/or laminated/
Pages restaurées et/ou pelliculées
Pages discoloured, stained or foxed/
Pages décolorées, tachetées ou piquéesPages detached/
Pages détachéesShowthrough/
Transparence
Quality of print varies/
Qualité inégale de l'impression
Includes supplementary material/
Comprend du matériel supplémentaire
Only edítion avallable/
Seule sdition disponible
Pages wholly or partially obscured by errete slips, tissues, etc., have been refilmed to ensure the best possible image/ Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été fillméas à nouvaau de façon à obtenir la mailleure image possible.

Additional comments:/
Commentaires suppléme:ıtaires:

This item is filmed at the reduction ratlo checked below/
Ce document est filmé au taux de réduction indiqué ci-dessous.


The copy filmed here has been reproduced thanks to the generosity of:
selure,
The last recorded frame on each microfiche shell contain the symbol $\rightarrow$ (meaning 'CONTINUED"), or the symbol $\nabla$ (meening "END"). whichever applies.

Maps, plates, charts, etc., mey be filmed at different reduction ratios. Those too large to be entirely included in one exposure are tilmed beginning in the upper left hend corner, left to right and top to bottom, as many frames as required. The following diagrams illustrate the method:

L'exemplaire filmd fut reproduit grâce at la gónérositó de:

Library Division
Prozincial Archives of British Columbia

Les images sulvantes ont oté reproduites avec le plus grand soin, compte tenu de le condition et de la netteté de l'exemplaire filme, et en conformite avec les conditions du contrat de filmage.

Les exemplaires originaux dont la couverture en papier est imprimbe sont filmbs en commençant par le premier plat et en terminant soit par la dernidre page qui comporte une empreinte d'impression ou d'illustretion, soit par le second plat, selon le ces. Tous les autres exemplaires originaux sont filmés en commençent par la première page qui comporte une empreinte d'impression ou d'illustration et en terminant par le derniére page qui comporte une telle empreinte.

Un des symboles suivants apparaitra sur la dernière image de chaque microfiche, selon le cas: le symbole $\rightarrow$ signifie "A SUIVRE", le symbole $\nabla$ signifie "FIN".

Les cartes, planches, tableaux, etc., peuvent être filmés à des taux de réduction différents. Lorsque le document est trop grand pour être reproduit en un seul cliche, il est filmé è partir de l'angle supérieur gauche, de gauche à droite, et de haut en bas, en prenant le nombre d'images nécessaire. Les diagrammes suivants illustrent le méthode.



## SPEECK

OF

# MR. TRUMAN SMITH, OF CONN. 

THE OREGON QUESTION.

Delivered in the House of Representatives, U. S., February 7th, 1846,

WASHINGTON:
J. \& G. S. GIDEON, PRINTERS.
1846.

## SPEECH.

The House being in Committee of the Whole, and having under consideration the joint resolution reported by the Committec on Foreirn Affairs, directing the President th give notice to Great Britain that the United States will terminate the convention hetween the two Gonvernments, providing for the joint occupation of the Oregon territory, at the expiration of twelve monthes-

Mr. TRUMAN SMITH, of Comnecticut, obtained the floor, and said-
Mr. Cuarman: I do not know that it will be in my power to aid essentially the deliberations of the committee on this important subject. But having, unexpectedly to myself, been constituted a meinber of the Committee on Foreign Athairs, having turned my attention most anxiously to the consideration of the present critical state of our relations with Great Britain, arising from the Oregon controversy, and parricularly to the question of notice involved in the resolution on your table, I ask the indulgence of the committee while I give an exposition of the reasons and motives which will control my action on the present occasion. I am the more desirous to declare my sentiments, because, from the outset of the session, I have indulged lively appreliensions that this unfortunate controversy would involve the two conntries in a collision at no distant day. I did not donbt but that the athonities on both sides of the Atlantic entertained, in a general form, purposes of a pacific adjustment, but I feared that one or both of them would, by the current of events, be swept into a position from which retreat would be so difficult as to render a conflict certain. Unless wiser and better counsels shall prevail at both ends of the avenue, than those which tie last few weeks have made manifest, the Govermment of the United States will, in my judgment, within a brief space, find itself in that category.

The territory of Oregon has been in dispute between the two Governments ever since 1818 . Not being able to adjust it then, they, by the convention of that year, in effect, agrced to adjouin it over for the period of ten years, providing, in substance, that the comutry of Oregon, with its harbors, bays, and creeks, and the navigation of all rivers within the same, should be open for the period named, to the vessels, subjects, ind citizens of the two powers, reserving the rights of any other state or power to the territory, and derlaring that their sole object was to prevent disputes and differences anong themselies.

In $18: 27$ it was deemed expedient to extend the convention of 1818 indefinitely, with the proviso that either party might abrogate the convention at any time after the 20th of Oct., 1825, on griving twelve months' notice.

Under these conventions the citizens of both comatres acpuired the right of access to the waters of Oregon-the right of commerce with the aborigines of the country, and the right of entering on the territory, and of mathing sethlements at pleisure.

It is said that the consentions of 1818 , and $182 \pi$, should not be demominated treaties of joint occupation; but such is the chatater which both Gorermments have given to them for many years, it is now too late to recede;
and, hesides, I do not see how a mere change of phraseology can vary the the rights of Great Britain or the Linited States.

I suppose that both parties have eujoyed the righs of commercial interconse over the whole teritory-American citizens in some degree-British subjects much more; but in the mater of settements the parties have so exercised their rights, that Great Britain may now be said to be substantially in possession of all the ternitory north of the Columbia river, and we of all south of the same river.

I am of the opinion that British subjects are in the enjoyment of more of the territory in dispute than thei: Govermment, on a fair consideration of its pretensions, can justly clain? ; and I will uphold the existing Administration in all suitable efforts to vindicate the American claim, and to reduce the possessions of Great Britain to their proper limits.

No member of this committee, nor citizen of the comntry, ean be more deeply impressed than 1 am with the necessity of bringing this controversy to a speedy close. The irritation existing, hoth here and in Great Britain, is geting io be excessise. It will assume a more and more aggravated form. And the affair will result in the most disastrons consequences, unless it is promptly aljusted.

It is now proposed to give the notice provided for by the convention of 1827 , and $1^{1}$ - resolution on your table declares, that the President should forthwith take the proper steps to abrogate the treaty at the expiration of twelve montlis. The Presirlent, in his message, at the opening of the present session of Congress, says, in substance, that the notice ought now to be given, and adds: "I recommend that provision be made by law for giving it accordingly, and temmating, in this mamer, the convention of the 6th of August, 1s:\%"."

I have considerably modified my opinions on the subject of notice, during the progress of this diseussion. In the first instance my impression was. I ought not to vote for it at all; but more mature reflection has brought me to the conchasion, that it is experdient, if not indispensable, to abrogate the convention of $182 \pi$, and that I onght to vote for a rualified notice, or in a modified form. But I camot vote for the proposition on your table to confer absolute power on the Txecutive, nor for notice in the form of any one of the numerons modifications which have been proposed, miess that offer ed by the honomble gentleman from Ahama, (Mr. D.apans; be an exception. I think favorably of that proposition. The honorable membe proposes to commence at the Pacific, and rim the line through the middle of the straits separating Vamonser's lsand from the main land, (called the Straits of Fuca, and to proceed from thence to a point on the coast, south of the month of Frazer's river, at the parallel of $49^{\circ}$, and from thence ir that parallel to the Rocky Momntains, giving to the United States all south and to Great Britain all north, of that parahlel. This proposition concede to Great Britain the lower end of Vancouser's Island, ats an equivalent fo the navigation of the Colmbia river, and wonld make the basis of adjust ment substantially what has been repeatedly offered by our Government. desire to thank the honorable member, not only for his able speech, but fo his truly statesmanlike proposition.* Conceived in a spirit of moderation and equity-profiering to Great Batain the olive-branch, and securing t the Republic all that is important or essential in the territory of Oregon, w

[^0] :gree-British es have so exabstantially in and we of all
ment of more msideration of Ig Administraand to reduce
, can lie more his controversy Great Britain, ore aggravated sequences, un-
convention of resident should e expiration of ling of the preught now to be - law for giving ation of the 6th
of notice, durimpression was. has brought me to abrogate the 1 notice, or in a bur table to conorm of ally on: mess that offer. in, $i$ be an ex norable membe bugh the midull and, (called thr the coast, south 1 from thence ir States all south position concede mequivalent fo - basis of aljus: Government. e speech, but fo it of moderation and securing y of Oregon, w
ell by the Committe de ultimately receive it my duty to vote ${ }^{\text {i }}$
should acquire, by such an arrangement, neary all the combry drained by the waters of the Cohmbia river, and in Port Discovery. Admialy hlet, Hood's Camal, and Puget's Sound, a series of harbors more magnificent than any ohher in the western world. I to not insist, howerer, that we should advert to any precise line, but I do contend, that in atherizing or recommending the notice, we should, in some emphatic form, make known to the President the wish of Congress that the controversy should be adjusted on the basis of a just and equitable compromise, and then, in my opinion, there would be an end of the matier in one month. 'The reisons why I camot wote for the power of notice, muless it be qualifical. I must postpone to a subsequent part of my argmonent.

And here, Mr. Chaiman, permit me to saty, that, in my action on this subjeet, I intemd to be governed ly no other rousidemations than such as appertain to the subject itself. I have been apprehensive that this question of Oregon might become the mere foothall of party. I hase heard it intimated that there is a good deal of political cherfuer-playiner going on in regard to this matter, and that men of !igh aspirations are making a staik-ing-horse of the subject to ride into the Iresidency. I will refain from expressing the feelings which such a suggestion is adapted to awaken in every honest mind, and content myself with the expression of a hope that there is yet enongh of rectitude and of patriotism left in our public comeils to checkmate such detestahle purposes, if any such exist. Nor cin 1 consent that the dispute ahout Oregon shall be mixed hit with the question of 'lexas. If any one desires to khow my opinion on the sulyect of 'Texats annexation, I refer them to the sentiments of my State, not only as made known by the exercise of the clective franchise, lint as often declared to Congress by resolations of our gemeral assembly, conceived in the strongest iems of opposition and repugnance; one set of which was subnitted by my colleague (Mr. Rockweas) at the present session; or, if I ought to be more explicit, I imn willing to dechare that I regard the meature as a papable violation of the Constitution of the CnitedStates, more so than why other which has occured since the organazation of the Govemment in 175 , and is, hesides, highly objectionable on other grommes. But it is said that it would be right and fust to involve the commtry in war with Great Britain, to the end that peculair calamities maty be intlicted on the somb for what we at the North call "the 'lexas iniquity." But I will not recornise any such motive of action. I am mot prepared to sily that the Soubem States are much, if any, more responsible for this emomons wrong than the free States. I cimot forget that, while the free states eave a majority of no less than foity-fire electoral votes in favor of loolk and 'rexas. the slaveholding states gave a majority of only trenty votes. Besides, if tire, desolation, and the sword, ase to be carried inte the Sonth, 1 ins, what is in he done with those states which opposed Texas innexation? What is to be done with Delaware, Daryland: North Carolina, ever alorious Kentucky, and patriotic and uhbe-minderi 'Comesce? What is to be done with our gallant friends in (irorgia and Lomisima, who, under cirembstances of great difficulty. stood hy the Constitution, and were at has overcome only by frads, more supendous than were ever hefore comminted in thes or any ather comme? 'The trult is. that this project of 'lexas amexation was started by the lime President 'Tyler, in fatherame of his ridienlons pretensions to the Presidency, (by re-election, ant idea which never abtaned a lodgement any where ont of the Presidential mansion. The dem:gogues all over the combry immediately seized hold of the stheme; and, after practising awhile upon the credulity and shallowness of is athor, wielded
it with success in promoting the election of President Polk. If the slaveholding predilections of the South are responsible, in some degree, for this wrong, I hold that the spoils-grasping propensities of the North are equally so; and therefore I will never consent to have the United States involved in war under the idea of intlicting disasters on the former section of the comntry. If any man is to be invested with the powers of retribution, in refercuce to this subject, he can hardly contine his labors to the South-he will doubiless take the circuit of the whole Union, scattering every where, to the right and left, "fire-brands, arrows, and death;" and perhaps he may think that equal ant exact justice requires him to reserve a few bolts for a certain party at the North, who, from a mistaken sense of duty, threw away, at the late Presidential election, their votes on a third candidate, and thos contributed ellectually to extend "the area of freedom" in the sonthwest.

But it is said we ought to lay our hands on the whole of Oregon, to be converted into free States, to commervail the gain to the slave States by the acquisition of 'Texas. What is meant by this? Is it that we should claim the whole of Oregon, indrpendent of our right to the whole? If the entire territory is truly ous, then we must stand up for our rights, irrespective of any question about Texas; hut if we have not a just clain to the whole, the American people will hardly undertake a obbery of territory in one quarter to match a robbery committed in another, and that, too, on mere calculations of domestic advantage. Besides, the party on whom the operation is to be performed is a buly old genteman of the name of Bulf, who is likely to make a much stouter resistance than the foor Mexican Don, whom you may victimize at any time with impunity. I insist, therefore, this is a question hy itself- that it is a broad national question, to be taken up and considered calmly and dispassionately, with a view to a just appreciation of the rights of the republic, and to assert those rights with all the firmness which a high sense of patriotic duty must inspire.

And here, Mr. Chaiman, I will advert for a moment to what I underto he the position of those with whom I usually co-operate in this $i$ in regard to the pending entroversy. We wish it to be distinctly unuersood, that we shatl throw no factious opposition in the way of the Administration; we are disposed to co-operate with the Executive in efforts to assert our rights, and to resist the policy of Great Britain, promptly and effectively, so fir as it is aggressive. We are disposed to do entire justice to the President and Cabinet, and appreciate highly the zeal and ability displayed by a late, and the present, Secretary of State, in the correspondence laid before Congress. But, if the Administration shall wantonly or unnecessarily involve us in a war with Great Britain, we believe the American people will hold them to high resjonsibilities. However imprudent the Executive may be, we intend to rally in support of the comutry-and, whether in public or private life, will do all in our power to repel aggression, and rindicate the honor of our thag. But we intend to hold the Administration to the performance of thre rigid conditions-first, that they prosecute the war with rigor; secondly, with ability; and thirdly, with success; we shall athow them no margin-will not abate one hair-and if they fail, we shall endeavor to place the (iwsermment in the hands of better and more competent mon, who will concentrate upon the contest all the energies of the American people, and contuer for the Republic, at an early day, a glorious peace.

But, sir, I desire to approach a litle nearer to the great question before us. In the first place, in connexion with the ground taken by the Administration, I shall recur to the late correspondence between the two Govern-

If the slavegree, for this forth are Jnited States rmer section s of retribulabors to the n , scattering death;' and n to reserve a ken sense of s on a third of freedom'

Dregon, to be States by the should claim If the entire irrespective of to the whole, rritory in one too, on mere om the operaf Buld, who exican Don, sist, therefore, n, to be taken a just apprets with all the
what I underoperate in this distinctly unay of the Adre in efforts to mptly and eftire justice to nd ability disorrespondence only or unnethe American imprudent the ;ountry-and, repel aggreshold the Ad, that they pro. with success; -ind if they of better and t all the enertin carly day,
ucstion before y the Admintwo Govern-
ments, upon some of the features of which it is important to lix the attention of the combtry. It is now said, that we not only have the hest title to the whole of Oreron, but that it is expedient to push our clam to that extremity. But his is a new riew of the subjeet, to which our (iovermment has arrived since the dhof March, 1815-wherher in the light of the celebrated Baltimore resolution. declaring "our tithe to the whole of the tervitory of Oregon to be clear and monnestionable," I leave others to judee. But it will be observed, that the negotiations hate ever been condurted botween the two Govermments on the basis of compromise, neither party indicating, until recently, a wish to exclute the other wholly from the teritury. Such was the fact in the nerotiations preliminary to the comvention of the ISth of October, 18IS. 'I'he same basis was acted on in the correspondence intermediate and preliminary to the convention of the tith of Angust, $15: 27$. The negotiations were resumed and prosecuted under the anspies of Mr. Cathoun upon that itea. This distinctly appears from the protocol of the 23 l of Angust 1814 , signed by Mr. Calhom and Mr. Pakenhan, in which they recognised the anthority of each "to treat of the respective elains of the two Govermments to the Oregon territory, with a view to establish a permament boundary between the two comntries westward of the Rocky mountains, to the Pacific ocean," the plenipotentiaries interchanging assurances of a desire on both sides "to approach the question with an earnest desire, and in the spirit of compromise, to effect and idjuetnent ronsistent with the honor and just interests of either party." 'Thus the parties substantially whmitted that each had a better chain to some part of the territory, and that there should be an equitable division between them. We had three times previously, in attempting to adjust the controversy, that is to say, in 1818, 1821, and 1826, offered to Great Britain to divide the territory by the paratlel of $49^{\circ}$, and in 1015 and 1526 , we offered, in addition, the navigation of the Colmmbia river sonth of that parallel. In July, 18: I, Great Britain offered to the United states, to divide the territory by extending the patallel of $49^{\circ}$ to the northeastemmost banch of the Colmblia river, and from thence down the middle of that river to the Jacific ocean. In addition to that, in December, 1self, she offered us a detached territory of neat one handred miles square, sitmated on the Striats of Fuca, in which is a valuable harbor, called Port Discovery. Under these circumstances the negotiation was opened by Mr. Calhom and Mr. Pakenhan, on the Z3l of August, 1844, which, so far as the former genthman is concened, terminated with his retirement from the State Department on the orgmization of the present Administration in March last. While the subject was in the hatude of Mr. U. He British plenipotentiny made two propositions for an adjustment of the dispute:

1. The British minister, on the 26th of Angust, 1S4, reproposed the basis of 1826 ; that is to siy, the line of $49^{\circ}$ and the Columbia river, with the same detached terriory; and, in addition, offered to make free to the United States any port or perts which the Americim Govermment might desire, either on the mam land or Fancourer's istand, sonth of hatude $49^{\circ}$. 'Ihis seems to have been promptly rejected by our Govermment.
2. On ine l.th of Jamary lasi, the British Govermment oflered to the Uuited Siates to refer the differences between them to arbitration, sugesting that, umder the circmostances, no more fair or honorable mode of settling the question could be adopted.

This proposition Mr. C. waived, but did not positively decline, expressing the hope that the controversy might be settled by the negotiations then pending between the two countries.

During the administration of the State Department by Mr. C., no direct. proposition was made on our part for an adjustment of the question; but Mr. U., it is helieved, in the discussion, satisfactorily proved that we were entitled to all that part of the territory which is drained by the waters of the Columbia river, imd thas indicated an opinion that the country should be divided lye the parallel of 49.

Inder these riremmstinces, the negotiation fell into the hands of Mr. Buchanan, who, on the l:th of July last, addressed to the British minister his first letter, and uthered a division on the parallel of $49^{\circ}$, whthdawing the navigation of the Colmmbia river, comprised in our last offer, to wit, that of 1826.
'This was promptly rejected by the British minister, he using the tart expression that he 'trusts the American plenipotentiary will be prepared to offer some further proposal for the settlement of the Oregon question, more consistent with faimess and equity, and with the reasonable expectations of the British Govermment.'

Mr. Buchaman then withdraws the proposition of the 49th parallel, (an act that would spent to be superthons, as the British minister had atready rejected it,) totally repudiates the basis of compromise, and goes peremptorily for the whole territory of Oregon.*

In this state of things, the subject is submitted for the consideration of Congress, and there are three features which mark the case which I think should atrate the attention of the American people.

1. While Great Britain, in the late negotiation, has made a more favorabie offer to us than she ever did before, we have made to her one less favorable than we did before. She has added to her ofler of the 1st of De. cember, 1824 , free ports either on Vancouver's island or the main land below the parallel of $49^{\circ}$; whele we have withdrawn the navigation of the Golumbia river. It is this circumstance which attracted the attention of the honorable member from New York, (Mr. Kines, early in the session, wha, in remarking on this subject, said he believed that the Administration linew that this offer urould be rejocted when they made it ; and afterwards, explaining, he added, all he meant was, that eny man of common sense must have linoun that the British Government would reject it. The irst category made the Idministration knaves, the second fools; but I shall not be so indecorons as to call them either the one or the other. But why did the gentleman say, that any man of common sense must have anticipated a rejection ? It was simply because, while Great Britain was advancing iowards ns, we were retreating from her-the title being precisely the sane now that it was in 1826 . It is difficult to see why the Administranon, if disposed to withdraw the navigation of the Cohmbia, did not offer an equivalent to the British Govermment. How can the world think that we are seeking a solution of this question in the spirit of peace, if we persist in such condact?
2. It is an extraordinary fact, that the offer made by Mr. Buchanan (in his letter of the 12th of July last) was neither submitted to the British Govermment as an ultimatum, nor was it returned as such; or, in other words,

[^1]C., no direct question; but that we were the waters of country should
hiunds of Mr. 3 ritich minister withdrawing tofler, to wit,
ng the tart exbe prepared to question, more expectations of
h parallel, (an er had already goes perempto-

## onsideration of

 which I thinka more favoraier oue less fa-- he 1st of De. main land bevigation of the the attention anty in the sesthe Adminise it; and after. in of common reject it. The呺; but I shal! er. But why st have anticiin was advan. \% precisely the re Administra, did not offer orld think that e, if we persist

Buchanam (in e British Govother words,
mmunicated a rethat Great Britain to competent eititries, and that our (1) whe whole of led to such a mana din? Is there not enot very honest

Mr. B. did not give the British plenipotentiary to understand that the 49th parallel was the only proposition he could or would make, or the only terms on which we could adjust the controversy. On the contrary, the British minister was distinctly told, that "the President had determined to pursue the negotiation to its conclusion upon the principle of compromise in which it commenced." No doubt Mr. Pakenhinn supposed the proposition of Mr. B. Was a mere bid; and as it was a retreating lid, he unfortunately rejected it. At this the President and his Secreary seem to have taken fire. They instandy determined to break up the negotiation. 'They snatched back the offer they had made, and then pastied the American clain up to $5.4^{\circ} 40^{\circ}$. If the Administration were resolved not to concede to Great Britain any more favorable tems than the parallel of $49^{\circ}$, why did they not say so explicilly? Why did they not return that paratlel as an ultimatun? If this had been done, Mr. Pakenhan wouk have heen obliged to send the proposition to his Government, and possibly the controversy might have been ere this aljusted.
3. But there is another cireumstance, equally remarkathe, to which I wish to direet the particular attention of the committee, which consists in the fact that the argoment, best adapted to convince the Bribish minister of the justice of our proposition, was withheld till after he had rejected it. The President says, that he citused the offer to compromise on the 49tio, which had heen rejected, to be subsequently withdrawn, and " our title to the whole Oregon tertitory to be asserted; and, as is believed, maintaned by irrefragable facts and agmants." Why were not these irrefragable facts and arguments put forward in the first in-tance? Surely an argument adapted to prove that our tille to the who'e territory is " clear and unquestionable" would operite powerfully to convince the British Government that they ought to accept of $49^{\circ}$. Weery one who looks over the papers camot fail to see that our case is presented in Mr. Burhman's last leter. Whatever title we iave to the whole territory is contained in statement $J$. B. D, drawn up wih great viger and distinguished aibility. The reservation of " the irrefragalile facts and arguments" till after the rejection of our offer, is to me incomprehensible. Surely it could not have heen the purpose of the Administration, by crooked and disingemuons diplomacy, to break of the negotiation, and thus involse the two combries in imminent denger of war. I cannot suspect gentemen, for whom personally I cherish sentiments of high respect, of so bise a purpose; and yet it is difiicult to see how they could hase adoped a course better adapted io that end than the one in fact pursued.

Aud this would seem to me to be the proper place to inguire into the cause oi all these diticulties. How comes it about that our relations with Great Britain were, immediately after the accession of the present Administration to otfice and power, involved in so much embarrassment? Why has there gone forth, throughout the country, so much agitation and aharm; and why have our public councils, ind the whole Anerican people, been so entirely engrossed, for many weeks, in anticipating all the revohing scenes of a direful war. The germ of all the evils, present and anticipated, date from the 30h day of May, A. D. 1844, and had its origin in a political assemblage whicia was then in session in the city of Batimore, and engaged in moninating, for one of the great partes of the Union, a candidate for the Presidency. This asemblage nsurped jurishiction over the ghestion of Oreon-dhey entered upon a new experiment in diphomacy, and modertook to make political capital out of a guestion which had been pending over a quater of a century, which had occupied the attention of several Administraions, and engrossed a large shat: of the best talents of the coun-
try. This presumptuous body, after passing through scenes of turbulence to and violence, such as was never before witnessed in the country, plunged of headlong into the midst of this dispute, and undertook, by an inflanmatory appeat, to establish a title in our peopie to the whole of Oregon. What a humiliating spectacle! and how adapted to make our commtry and its institutions the laughing-stock and derision of the world! We had lorg seen the malignancy of party pervaling all branches of our domestic relations, debanching public and private monals, ind overthowing nearly all the great interests of the country. At last this fell spirit has invaded the sanctuary of our forfign relatious, and upon its footsteps will come, ere long, should any miracle enable us to escape now, ruthless war, with our coast ravaged, our commerce swept, our cities burnt, myriads of treasure squandered, and oceans of bloorl poured forth. Such are the legitimate fruits of permituing party animosity to derbble in foreign afluirs. In the mean time, the Baltimore resolution has fulfilled its mission, and J. K. Potk, in accordance with the forms of the Constitution, is prochaimed duly elected President of the United States. He leases his abode in the State of Tennessec, where he had been in retirement several years, to take his place at the head of the Goverment. We soon find him on the eastem front of our capital to assume fearful responsibilitics. He was about to oceupy a station which had been filled by a Washington. Oue would suppose he would feel above responding to the sentiments of a caucus. If he had no respect for his immediate predecessor, he must at least be disposed to treat the distinguished statesman, who had just retired from the Department of State, with ordinay decency-he mast have some regard for the canse of peace, jdentified is it is with the best interests of the country; but not so; political apital was to be made, and therefore he throws a fire-brand by re-echoing the Battimore sentiment, that "our title to tine whole of Oregon is elear and monuestionable;" and then to make the embroilment the more certain, ine added a menace to Great Briain, that it would be his dhty to maintain, by all comstilutional meoms, the right of the United States to the territory in dispute. This was maderstood on the other side of the Alamic to be a menace; it we palpably so. It will be observed that at the time Mr. I', made this summary dieposition of the Oregon question, he had not been duly constituted President of the United States, he had not taken the oath of ofice. However well informed the President may have been at that time about Oregon gencratly, it is certain he was not familiar with the negotiations on the subject; and, at any rate, he could.not have understood the existing state of such negotiations. In his message he uses languge which sumicienty indicales that such was the fact. In that document he says, in effect, "my attention was carly directed to the subject;" and then, after giving the details, he adds, "when I came into office, I found this to be the state of the negotiation." He inatly informs Congress that he had offered to divide the territory on the parallel of $49^{\circ}$, "in deference to what had been done by his predecessors." Why did he not feel that deference at the time he delisered his inamgual address? Will it be said he did not then know what they had done? If' so, how came he to commit himself so rashly on a subject of so much delicacy? Why act in the dark? Why not wait till he was surrounded by his cabinet, and hidd had time to look at the subject in all its bearinge?

But the words "clear and unquestionahle" had gone ont from Baltimore, and he must repond to them, he must assme a gallant bearing before the American people, and therefore the pregant allusion to "all the constitntional means' with which he was to be invested, to be used in asserting our right to the whole of Oregon. 'This, notwithstanding my respect for the President, I deem the height of imprudence; it was pre-eminently adapted
nes of turbulence country, plunged an inilammatory Dregon. What a mutry and its instire had lorg seen omestic relations. hearly all the great d the sanctuary of long, should any coast ravaged, our squandered, and uits of permitting it time, the Baltin accordance with President of the messee, where he the head of the our capital to asstation which had uld feel above reespect for his imthe distinguished of State, with cause of peace, not so; political nd by re-echoing egon is clear ind more cetain, he maintain, by all ritory in dispute. e a menace; it - mate this sumduly constituted of ofice. Howte ahont Oregon ions on the suls. ing state of such ciemly indicates " "my attention g the details, he of the negotiadivide the terridone by his prene he delisered - what they had a subject of so a was surroundall its bearings? rom Baltimore. aing before the Ill the constituin asserting our respect for the nenitly adapted
to embrnil us with Great Britain, and is believed to be the principal source of existing difficulties. The President soon found that treating with a great power like that of Great Britain was an affair quite unlike responding to the sertiments of a party caucus, or making appeals with a view to popular impression. He foumd it would not quite do to come up to the scratch of $54^{\circ} 41^{\prime}$. He legan to feel all at once a profound deference for his predecessors, and incontinently oflers to surrender to the British Govermment nearly one half of the territory. If we really own the whole territory, how came the President to offer to give away one half of it? How could mere "deference for predecessors"' innpose inl obligation to make such a sacrifice? Or was it his olyect to curry favor with the British aristocracy? No doubt they wond be hingely delighted with a democratic President, who should make them a present of such a vast territory, especially when our title is "clear and moquestionable." But having offered this macnificent boon, how came he to wilhdraw it? Why was his generosity so evanescent? If the interests of the American people required the offer of the $49^{\circ}$, no possible reason can be assigned for widhrawng it. Those interests are the same now as then-the hazards of war, and the importance of mamaining amicable relations with Great Britain, are the same now as then. Why has the conduct of the Administation been so mstable, wavering, and inconstant? It is, I affitm, owing to the fact that they have all the while been under the dominion of different and wholly repugnant influences-the one a desire to maintain amicable relation with Great Britain; tud the other, a desire to maintiin the same relations with their own party. There has been a constant struggle between these antagonistical principles ever since they came into power. When the former has the ascendancy, the negotiation is carried forward on the only groumd which can bring the dispute to a peaceful issue, of wit a compronise; when the list, that hasis is totally abandoned, and the Administration $g$ g for "the whole of Oregon or none." In short, we are trying an entire new experiment in diplomacy. 'The Administration, in their motives of action, have been mixing "p "foreign afliurs" with "domestic affiais." We are trying to see how diplonacy and party politics will jump torether. In the case of such an imbecile power as Mexico it may do, but when you are dealing with such a character as John Bull, it is quite another affiir. I shall wath the progress and result of this novelty with deep interest.

Haring thes presented to the consideration of the committee the prominent features of the negotiation between the two powers, 1 thrn to a topic which should have heen made prominent in this debate, and which has attracted comparatively lithle attention. I refer to the question of title. It is said that we can really and truly advanre pretensions of title to the whole of Oregon. If so, I go for the notice in any form, no matter how unqualifid. It is with simprise, I have seen many honorable mentibers rise on this floor and make eloopuent and able appeals to this committee in opposition to he notire, and yet dectare their belief that we had the beter title to the whole of Oregon. I regard every speech of this chatacter as futile and musatory. 'Ithe American people will never consent to sumender an inch, if they are convinced that we really own Orgon up to $54^{\circ} 40^{\prime}$. If such is the siate of the case, I would abrogate the convention to-morrow. We must then look into this question, and endearor to aseertain the true state of the tith. What! methinks I hear some one exclaim, are you abom to go over to the British side of the argunent? No, sir, I shall endeavor to place myself on truly American gromen-on the maxim, which has been sanctioned by mir wisest and best men-" to claim," in our interconse with foreign powers, " nothing except what is elearly right, and submit to nothing which is clearly wrong." How can we ascertain what is "clearly right,"
in regard to this inatter, unless we enquire into the title. I affirm it is notgerve only proper to institute the enfuiry, lout our duty to prosecute it with all certat the integrity and impartiality of the judicial character. We are placed in 2. a very trying situation-obliged to judge in our own cause, and liable to be 1592 swayed from the parlh of rectitude and honor by passion, prejudice, and latin self-interest. Let then moderation and a sense of justice characterize ouraddu consultations, and then we may hope for a peaceful issue At any rate, the we shall have conscience and the blessing of Heaven on our side, and diplo should the result be an appeal to ams-the ultima ratio reipublice-then a united, a pariotic, and a just people could not fail to come triumphantly ful; out of the contest.
If it be admitted that both parties have just pretensions of title to some in $1:$ part of the territory, then it is plain neither party can chaim, as a matter of 1787 strict right, that it should be divided by iny precise line. It is e. wild, uppe savage, and, in a great degree, minhabited comntry. We can see on this 3 . hypothesis that Great Britain owns one part, and we the other; but where ticity
the line should be drawn can only ve determined by estimating, as well as the we can, the value of the respective pretensions of the two Governments, Fuc; which is merely a matter of opinion, and the case must inevitably be set-in 1 thed by compromise, if settled peacefully. If the American Government ley, have title to all that part of the territory drained by the waters of the Co - disco lumbia river, and the British Government to that part drained by Frazer's the river, then it is certain that the 49th parallel is not the true line. In such men case the true line would commence as high up as the $52 d$ parallel, and would rum in a sonthwesterly direction on the high lands dividing the waters of the two rivers, and would strike the coast it some point between the mouth of the Columbia and the mouth of Frazer's river. I insist, therefore, that the 49 th parallel can only be proposed as a compromise line, and I must confess it has ever seemed to me to constitute a proper basis for the adjustment of the dillerences between the two Governments; unless, indeed, we can properly take the ground that Great Britain has no claim whatever to any part of the territory.

Whether we should attempt to exclude that power wholly from Oregov, depends, in my judgment, on the force and efliect which we are authorized to give to the Spanish title which we acquired by the treaty of Florida in 1819. There is no pretence that we have any claim whatever to the territory above the parallel of $49^{\circ}$, except by virtue of our Spanish title, on which several remarks shoutd be made.

1. It consists in mere naked discovery, without exploration, unless it be coastwise, and without setlements. It is certain that Spain never made any thing like a settlement in any part of the territory except it Nootka, which she, as Mr. Buchanan admits, abandoned in 1795. Besides, a settlement at Nootka would have given Spain Vancouver's Islimd only. A settlement on an island, says Mr. Callooun, gives the party making it it claim to the whole isiand upon the principle of continuity, but certainly not to a continent adjoining. But $I$ suppose the settlement of a continent would carry with it adjacent islands, upon the ground that the principal takes with it all accessories. Mr. Buchaman admits, substantially, that our Spanish title consists in discovery only, when he silys, in his statement markel J. B., 2, that the Spanish navigators " landed at many places on the coast, from the 41st to to the Erith degree of latitude; on all which occasions they took possession of the commtry in the name of their Sovereign, atcording to a prescribed regulation, celebrating mass, realing deeliarations atserting the rights of Spain to the terriory, and erecting croses with inscripions to commemonate the event." Now, I aflim, this was discovery only-the ordinary forms obs

I affirm it is notgerved by the Spamsh navigators on such occasions, conferring rights to a ecute it with all certain extent, of which I will speak directly. Ve are placed in 2.11 is doubtful whether the Straits of Fuca were really discovered in , and liable to be 1592, by the Gieek captan of that name in the Spanish service. Mr. Gata, prejudice, and latin stys, on this point, in his recent letters to the publie: "Unwilling to characterize ouradduce iny doubful fact, I abstained from alluding to it in the statement of

At any rate the American case in 1826." So that, in the opinion of that distinguished on our side, and diplomatist, the discovery of those important straits by the Greek captain to ipublice-then it which Mr. Buchanan has attached so much importance, is, at any rate, doubtne triumphantly ful; and this, in my judgment, shakes, in no small degree, our supposed title by Spanish discovery. If the straits were not first discovered by Fuca of title to some in 1592, then they were indisputably so by the English Captain Berkley, in n, as a matter of 1787. This it seems to me would turn the titie by discovery, so far as the c. It is a : wild, can see on this other; but where ating, as well as vo Governments, revitably be setan Government ters of the Co red by Ftazer's line. In such $2 d$ parallel, and ads dividing the re point between river. I insist, s a compromise rstitute a proper o Governments: Britain has no
ly from Oregon, $e$ are authorized at of Florida in ever to the terripanish title, on
tion, unless it be never made any t Nootka, which $s$ a settlement at A settlement on tim to the whote a continent ad ild carry with it with it all icceesish title consists B., 2 , that the from the 4list to - took possessiun a prescribed rerights of Spain manemorate the inary forms obs.
upper part of the territory is concerned, decidedly against us.
3. But however this may be, so litle was there of publicity and authenticity given to the Spanish discoveries, if really made, that the two points of the coast by far the most important, the Columbia river and the Strats of Fuca, had to be re-discovered-the former by the American Captain Gray, in 1792 , and the later, as before remarked, by the English Captain Berkley, in $175 \%$. What can be the value of discoveries which have to be rediscovered? The eulogies which, in this debate, have been passed upon the name and character of Gray, and the high appreciation which gentlemen seem to have of his great exploit in discovering the Columbia, is proof conclusive that the mere discovery of the mouth of that river ly Heceta, in 1775, was valueless. The world did not positively know that there was, in fact, any such river till Gray's discovery put the question at rest. The English mavigators scarched for it in vain unil Gray, by a fortunate hit, in connexion with other facts, conferred upon us an undoubted tite to far the better part of Oregon. I insist, hat discoveries, which are not anthenticated, where no landmarks are given, no charts published, and ao means furnished of identification, are not wortly of a moment's consideration. They add nothing to the geography of the world, and nothing to the resources of commerce or business. It is well known that the application of the stean-engine to navigation had been surgested, and, to some extent, attempted, long before F'ulton, by making that matter, practical conferred the richest blessings upon hiz conntry and the world.
4. The English, by McKenzie, undoubtedly discovered and explored Frazer's river in 179e, and established trading posts upon it by the Northwest Company in 1806. No American citizen made any discovery, exploration, or settlement, in that part of Oregon, prior to the convention of 1818; nor am I aware that any such citize: has occupied one foot of it, though fully entitled to do so, under the consention, from that day to this.
5. We discovered the Columbia river, ats before remarked, by Gray, in 179:-explored it by Lewis and Clarke in 1804 and '5, and estallished trading posts upon it by Astor in 1811. The Englisth have made many settlements in the valley of the Columbia since 1815, but from these they can draw no benctit, is, by the convention of that year, the title is to be setled between the two Governments on the state of things then existing.

Under such circumstances, it would secm to me there can be no difficulty in estimating the value of our claim to so much of our territory as is sithated above the paratlel of $49^{\circ}$. I repeat, it is found wholly on spanish disenvery, rumming biack into the dark ages, and doubtinl on innportant points. Nothing is more clear, than that mere diseovery of a savage or an minhabited country, never gives a tit!o, muless followed by explotation and settle-
ment within a reazonable time. This is admitted by Mr. Buchanan in of Sp statement marked J. B. He says:
"If the discovery of the mouth of a river. folloued up within e reasonable tame by the ten exploration hoth of its main chanel and its principal branches, and appropriated by ssed first setlement on its bauks, do not constitute a title to its territory drained liy its waters in seitai nation performing these acts, then the principles consertated by the practire of civilized dritai tions, ever since the disenvery of the new world, must have lost their power. These prineyer st were neecssary to preserve the peare of the world. Had they mot bewn enforved in praces Sp clashing elainis to new diseovered territory, and perpetual striie among the nations, would been the inevitible result."

- 'This is strong language, but not more strong than true. What are pronciples consecrated by the practice of civilized nations? Not that tequat covery alone, but that discovery, followed up, within a reasonable time, he $s$ exploration and setlement, gives a good title to wild and savage comntritonv Not a settlement was made by the Spamiards on this coast from the firdme supposed discovery ly Fuca, in 1592, to 1818, unless the trading post In Nooka be considered such; and that, as before remarked, was abandonwith in 179\%. Over two centuries and a quarter elapsed, and nothog done !he d Was not that a reasonable time to make settlements? How much tigettle would our honorable Secretary of State allow to this poor, degraded, aby il inert race of men, to effeet such an object? Without enterprise, industrdisaf or vigor of character, the Spaniards would not have settled Oregon to $\mathbf{I}$ Mr. end of time. I contend that no nation has a right to hold a wild comma tit vacant for ages, umder pretence of discovery. There lies at the bottom have all this a great law of our nature, which was enstamped upon humanity whol the era of the garden of Eden, when man was enjoined to "he fruifferrit and multiply and replenish the earth, and sublue it." The Spannulli Mexicans having failed to comply wilh this law, the Anglo Sixon race, cove either of its branches, had a right to treat the country as vacint-to ensettle and take possession.

But there are other difficulties in the way of this Spanish title which a Fra equally serious, mong which, that arising out of the convention enter agai into between the Britist and Spanish Govemments in 1790, usually Ang nominated the Nootka Somb convention, is by no means the least. It Wh well known that, some time prior to that date, a serious controversy are the between Great Britain and Spain tonching the northest coast, the count can now in dispute between us ind the former power; Spatin clamed the that clusive right to it, but this Great. Britain denied; and the dispute was on 1 min point of being brought to the issue of arms, when Spain yielded the poin suc and agreed to resture the buildings and lands of which British subjects h. heen dispossessed, and to make reparation in damages for acts of volenc Both parties stipulated not to molest or disturb their respective subjects, ei er in natigating those seas, or in landing on the coast "for the purpose carrying on their commere with the matives of the comotry, or of maki stetliments there." In this mamer the Spanish Govenment recogniz British subjects a good and perfect right to land on the coast and make at tlements in Oregon. I am sensible the honorable Secretary of State 1 given two answers to this objection-first, that the arrangement was temp bay in its character; and secondly, that the consention was abrogated the war which, at : subseguent period, broke out between the two powe 'Temponary! What is meant by this? Was it to last for ten, twenty. fifty years, or at the pleasure of the parties? Nothing of this sort is to found in the comsention itself; and, besides, the word'settlements" impor something more than a temporary armagement. But whether the conventi was or wats not temporary, and whether it was or was not abrogated by di subsergent war, one thing is certain, that it involves a distinct admissic

Ir. Buchanan in Spain that the country was then vacant. Indeed, that was the precise sint of the dispute between Great Britain and Spain. 'The latter power sonable trmeby the ten claimed title to the whole northwest coast, and on that ground disposand appropiated by bssed British subjects, and drove them away from Nootka. This Great ained liy its waters in
practice of civilized
ritain resisted; she insisted it was a wild country, unoccupied, and that power. These princier subjects had as good right to frequent it, and to make settlements there, cell enforced in pract s Spanish subjects. To this pretension Spain ultimately yielded, and the eaty of 1790 proceeds on that basis. In this point of view it is wholly imnaterial whether the convention of Nootki was or was not temporary, for
rue, What are ons? Not that reasonable time, d savage countri, coast from the fi the trading post ced, was abandon d nothing done!
How much til oor, llegraded, enterprise, indust thed Oregon to pold a wild coun ies at the bottonn ed to "be fruitf

The Span aglo Saxon race, as vactint-to en nish title which convention enter 1790 , usually ins the least. It $s$ contrusersy int coast, the coum tin chamed the digpute was on 1 yiclded the poin 3ritish subjects hi or acts of violene dive subjects, ci 'for the purpose ntry, or of maki ment recognis oast and nake: retary of State ement was temp was abrogated n the two powe or ten, twenty. f this sort is to thements" impor er the convent abrogated by th: listinct admissic the force of her admission is not thereby weakened in the least. And it is qually immaterial whether the treaty of 1790 was or was not abrogated by he subsequent war; for, although war usually does abrogate all treaties or onventions between the belligerant powers, yat it never docs abrogate the admission of a fuct. Truth is ever the same, war or no war.
In addition to this, we have, by our conduet, emphatically, in connexion with the valley of the Columbia, admitted the same lhing. By virtue of he discovery of Captain Gray, we claimed the right to enter, explore, and bettle, so mmeh of Oregon as is drained by the waters of the Colmmbia river. By these acts we, in substance, affirmed that the country was vacaut. We disaffirmed the Spanish claim. We treated it as a puff of empty air. But 'Mr. Bucl_...an say's, that a man having a title in his own right may purchase a title outstanding in the name of another person, and use both. But we have no title in our own right to the upper part of Oregon. We there stand wholly on our Spanish title; and our proceedings in the lower part of the territory amount to an affirmation that the Spanish title, as a whole, is a nullity. If we could say, prior to 1819, to Spain, that your title, by discovery is, in the valley of the Columbia, by reason of our explorations and settlements, naught, surely Great Britain can say the same, when that title has got into our hands, for the same reasons, in regard to the valley of Frazer's river. In both cases, it is re-discovery, exploration, and settlement, against original discovery; and it is in both the indomitable energy of the Anglo Saxon race, against the sloth and inertia of the Spanish character. Who can doube which should prevail? I have no difficulty in conning to the conclusion that our Spanish title is of little wort... Possibiy some use can be made of it to fortify our claim to the valley of the Columbia; for that purpose I an willing it should be used. When, however, this Administration is guilty of the ultraism of pushing our claim up to $54^{\circ} 40^{\prime}$, on such feeble grounds, every American citizen has a right to complain. Such was not the course of Mr. Calhoun when at the head of the Department of State. He insisted strennously in our claim to all that part of the territory drained by the waters of the Columbia river, looking obvionsly to the parallel of $49^{\circ}$ as the basis of settlement. In his first statement he concludes as follows: "The undersigned, plenipotentiary, abstains, for the present, from presenting the claims which the United States may have to other portions of the territory.", In reply, the British plenipotentiary called on Mr. C. to detine the nature and extent of such clams. In answer to this Mr. Calhonn merely says, that the clams which the United Stites have to other portions of the tervitory "are derived from Spain by the I"lorida treaty, and are fomed in the discoverics and explomations of her navigitors, and which they $\quad$ man regard as giving them a right to the extent to which they may be estahiished, anless a beter can be opposed." Ilow grarded is this langrage! The extent to which they may be establisted!! Unless a bettercan be opposed!!! He knew well what conld be apposed to this old richety Spanish title-discoverics by British navigators, and explorations and settlements on Frazer's river by British subjects, long after the Spaniards had lost all
their rights, (if they ever had any,) by non-user. It is certain that $M$ Calhoun was fully convinced that our Spanish title could not stind by itse for on no ofher surpmesition cam we account for his maner of treating th subject.
Thave alrealy said that neither party can, on any of the gromeds adverted claim that the territory should, as a matter of strict right, be divided by any pr cise line, but that the division must be made on a compromise line : hut there a ground of chaim which will give us, as a right, the 49 th parallel, and that is in principle of continuity. I think much more highly of this ground of elaim th: many honorable members seem to think. On this principle the line of t 49 parallel, and our territory south of it, and east of the Rocky momntain would he carried continuonsly westward to the Pacific ocean. This doctrine continuity was disti!ectly acknowledged in many of the colonial elarters, and should at any rate be dear to the people of my State, for upon the strength of we have acquired, and are now enjoying, the bencfits of a magnificent scho fund of over $\$ 2,000,000$. By the ancient charters of the colony of Connectiev the first of which hears date as early as 1630, the limits thereof were made extend from the Narragansett river, on the east, by. the breath designated "throug out the main lands there from the Western ocean to the South seas." In t Connectient, and several other charters, the British Government asserted tt right to extend, upon the principle of continuity, their colonial poossessions ( the Atlantic coast across the contincat to the Paciife ocean. This, in the jud, ment of our Comnecticut ancestors, was not a mere paper titte, but a substanti right, and they asserted it in the celebrated Wyoming settlement, in northe: Pennsylvania, which ras a Connecticnt settlement, orgaized under the : ${ }^{\text {a }}$. thority of our State, represented in our State leggislature, and protected ar defended under commissions emanating from our government, and with a the vigor and heaventy reliance which the pious legend of our flag, " q transtulit sustinet," wals adapted to inspire. This right was further asserie by our people in 1786, by reserving, from the cession of our wild lands : the United States, territory in northern Ohio, immediately west of the Sta of Pennsylvania, of the breadth of our State north and sonth, and extendin east and west one hundred and twenty miles. Hence, morthern Ohio usually called the Western Reserve, or New Connecticut-a comutry whic was settled mainly by emigrants from our State, which is represented on thi floor by several pairiotic members, and which every where exhihits hig evidences of a happy and prosperons state of society. It was by the said of these reserved lands that we acpuired our sehool-find, which has eonte red the richest blessings on our people, and indirectly upon the whole Union Having ceded our wild lands to the Union, we have lial no oceasion to pursu our title any further west than the $\mathbf{R}$ "serve; but if honorable members choose e carry our clartered limits over the Rocky Mountains, they will find that the larger portion of them fall within Northern California; and sliould it be proposed in the spirit of the Baltimore Resolutions, to re-occupy that eountry, all that $w$ of Connecticut will have to do, will be to repudiate the cession of i 786 , and en ter and take possession! So much for the doctrine of continuity, as comprise in the ancient charters of Comectient. In addition to this, it will be reconlec: ed, that great force wa* given to the principle of contimuity in the war of 176 hetw een Great Brition and France, usually called the old Frenelı war, by which contimuity was made to over-ride both diseovery, exploration, aud settlements and to earry the British possessions over the Allegianies to the Mississippi river It is certain, that Mr. Calhown attaches very considerable importance to our claim to all that part of Oregon sitnate! sonth of the parallel of 49 , on the prim ciple under consideration : for, in treating of the claim which France had to Oregon, by virtuc of her possession of Louisima, in the statement marked A, br says:
"Certain it is, tlat France had the same right of contimity, in virtue of her rossession of

It is certain that MLnuisiama, and the extinguishment of the right ni En:ghan, by the treaty of 1663 , to the uld not stind by itse nammer of treating t
e grounds alverted be divided by any p omise line ; hut there parallel, and that is is ground of claim the nciple the line of $t$ the Rocky mometain call. This doctrine olonial charters, and upon the strength of f a maguificent scho colony of Comnecticu thereof were made h desiguated "throug: South seas." In th ermment asserted t olonial possessions
'This, in the jud! title, but a subetanti ettlement, ill northe: anized under the :al ce, and protected ar rnment, and with ul of our flag, "qi was further asserte f our wild lands ely west of the Stir south, and extendin e, northern Ohio 11-a country whie - represented on thi where exhihits hig It was by the sall I, which has conter on the whole Union o occasion to pursu members choose : will find that th rould it be proposed country, all that $w$ ion of i 786 , and en inuity, as comprise it will be recollec in the war of 186 cuch war, by whici m. and settlements e Mississippi river: importance to ola of 49 , on the priur France had to Ore. rint marked A, h:
of her rossession of

Be ty monsius, and by Whole country west of the Rocky mountins, and iying weet of Lomisiona, as against Spain, which England had to the country westrard of the Allerhany munnains, ats aganint France-with his lifference, that Smain had nothing to "plpuse to the claim of Fronee at the time, tmat the right of diseovery, and even that Englimed has since denicd ; while Framee had opposed to the right of Singland in her ease, that of disconery, expheration, and settlement. It is, thereliore, hut at all surprising that Fraure should elaim the enuntry west of the Rocky mountains, (as may be inferred from her maps, ) on the same principle that Greal Britain had claimed and disponsesssed her of the recrions west of the Allephany; or that the United States, as soon as they hatd arppirel the richlts of France, should assert the same clain, and lake measurcs immediately after to exphre it, with a view to ocrupation and settement."

In this form Mr. Calhoun has, with sufficient distinciness, expressed the opinion that the claim by contimity is superior to a claim by mere discovery, especially when the latter is not consmmated in the proper manner, and within a reasonahle time. I therefore arive at the conclusion, that upon this ground we can properly claim all that part of the territory which is situated south of the 40 degree; but the same principle will give the British Govemment all north of the same parallel. Indeed, the claims of both Governments-that of the American Government, to the ralley of the Colnmbia, by discovery, exploration, and settlement, aud that of the British Government, to the valley of Frazer's river, by the same ingredients of title-are greaty strengthened by this doctrine of continuty. I cannot discover any plausible excuse for the extravagance of this Administration in pushing our claim up to $\overline{5} 4$ degrees 40 minutes. This they have done in face of four distinct offers by our Government to divide the territory by the parailel of the 49th degree, conceding, in two instances, privileges important to Cireat Britain in aldition. How can we, under such circumstances, claim the whole territory? Is it wise, is it just? Does this policy conform to our great maxim of diplomacy, not to clain. in our intereouse with foreign powers, any thing except what is clearly right? I am fully convinced that the 49th parallel is all that the true interests of the American people require. Have gentlemen forgoten that Northern California is open to us, and that we can and shall acquire it without commiting another outrage on the rights of Mexico?

Having cxamined the gnestion of title, I am now prepared to assign the reasons why I cannot vote for the unqualified proposition of notice now before the committee. The President, in his message, takes distinetly the ground that there is an eud of all negotiation; and that this Govermment should henceforth claim the whole of Oregon. He characterizes the demands of (ireat Britain as extraordinary, and wholly inadmissible. Adding, that he sees in the conduct of that power "satisfactory evidence that no compromse which the United States ought to accept can be effectect." He then informs us that the proposition which he had cansed to be made on our part, and which Great Britain had rejected, had, by his directions, hecu withdrawn. Ind, linally, he concludes in the usual style of hellieose documents:

[^2]to take him, for the present, as he presents himself to the country and the woris in his message. The ideas there grouped are: " no compromise which the United States ought to accept can le effected-I have withdrawn the proposs. tion which I made in deference to my predecessors-I now go for the whole territory, it is ours by clear and unquestionable right, which cannot be surrender ed without dishonor." The President desires us to invest him with the power of notice, to the end that he may, at the expiration of twelve months, take pos. session of the whole country, or, in other words, make war on Great Britain. I am amazed to hear gentlomen aver that even a forcible seizure of the whole country will not involve the United States in a war with that power. I am as certain we shall have war, if we push our claim to that extremity, as if we were to send a fleet of steamers into the Thames to capture the palace of St. James. I admi that giving the notice is not per se a belligerent act-it furnishes no casus belli, for it is a right secured by treaty-but I object to voting the notice in connexion with the declared purpose of the Execntive to lay hold of the whole of Oregon. So I insist the matter stands on the record. If the President is right in the assertion that we in truth and in fact own the whole territory, then, the moment the treaty is abrogated, it will become his sworn duty to execute the laws of the United States over the whole of Oregon; and that I maintain is war!-open, flagrant war. You will in effect invest the President with the power to bring the question in dispute, at any moment he pleases after the treaty is ammulled, to the arbitrament of the sword. I will not consent to part with the war power, if giving the notice is an exercise of that power, as many insist, in the form of a notice to quit to be served on Great Britain. This power is a trust involving every ining dear and sacred to men, which the Constitution has wisely put into the hands of Congress, and which should be guarled with ceaseless vigilance.

But suppose we look out of the record; how does the matter then stand? Can any honorable member tell us what is the real policy of this Administration? Is it their purpose irrevocably to stand on the paralicl of 54 deg. $\mathbf{4 0} \mathrm{min}$. I must confess, that their conduct has been so inconsistent, I find it impossible to form any satisfactory opinion on the subject. Without dwelling on the inconsistency of clainning at one moment the whole territory, and at the next of offering to surrender one half of it to Great Britain, what are we to think of the fact of their reconmending no measures to strengthen either the defences or the finances of the country? The appropriations suggested by the department are all peace appropriations. Our army is a skeleton-our fortifications are unarmed and unmanned-and our navy (in comparison with that of Great Britain) is insignificant. I know it is said that a republic can never prepare for war till after it breaks out. If by this it be meant that we cannot in peace be prepared for an aggressive war, I admit it; but we can, and should, in critical circumstances, prepare in advance for a defensive war. If I knew that this Administration are resolved to exclude Great Britain wholly from Oregon, I would, if I could, instantly put every thing on the war establishment. The whole energies of the Amcrican people, and resources of our vast country, should be consecrated to that object. I should deem it to be an imperative duty to augment greatly the resources of the treasury; for money, after all, is the sinews of war. We should place the credit of the republic on high ground, and the Government beyond the possibility of financial disgrace. We have men in abundance, brave, patriotic, and devoted; but we should be in a condition to command the entire pecuniary means of our own country, and, if need be, of continental Europe. I should be prepared, in such case, to come into this Hall and here encamp till these objects are accomplished. But this Administration, so far from strengthening the finances, (as, for example, by laying duties on the free articles, such as tea and coffee, propose to give them a fatal blow by the overthrow of the present tariff; and not only that, but to rush us into a war with Great Britain on a subtreasury scheme! An independent treasury! What a glorious engine of war! Why, your war would not be declared three months before your Government
try and the worit omise which the awn the proposi go for the whole not be surrender. n with the powe months, take pos. Great Britain. I f the whole coun. I am as certain we were to seud James. I admit es no casus belli, tice in comnexion ole of Oregon. S ht in the assertion moment the treaty ws of the United :-open, flagran to bring the ques. nnulled, to the arr power, if giving form of a notice st involving every isely put into the ss vigilance. then stand? Can Adininistration? deg. $40 \mathrm{~min} . ~ I$ ad it impossible to ng on the inconthe next of offer, think of the fact e defences or the e department are ations are unarm. Great Britain) is are for war till afe be prepared for al circumstances, dministration are d, if I could, inenergies of the e consecrated to ment greatly the var. We should ment beyond the brave, patriotic, entire pecuniary rrope. I should mp till these obtrengthening the such as tea and of the present Britain on a subengine of war! our Governmen!
would have to resolve itself into a Bank of the United States. It would immediately commence issuing treasury notes. Most, it not all the State banks, would stop specie payments, and shint plasters would cover the land. If we are to have a wer, I shall, myself, be in favor of a metallic currency, hut it will consist mainly of lead and iron; and you will need a pretty good supply of paper, if for no other purpose, at any rate for wadding Besides, what are we to think of the imprudence of this Administration, of involving the country in a contlict with Great Britain, while our controversy with Mexico is unsenled? The moment I ascertained the position of this Uregen question, I predicted that the difficulties with Mexico would never be settled until we effected an adjustment with Great Britain.

It seems to me that the police of this Administration is adapted to bring on us three wars at one and the same time. 1. A war with Great Britain. 2. A war with Mexice. And 3. A war with all the Indian tribes on our western and northwestern frontier. And if to these we add a war on the industry of the country by a destruction of the existing beneficent tariff, a war on the currency by the re-enactment of an oppressive suh-treasury scheme, and also a servile war, (which some gentlemen seem to anticipate,) we shall introduce into the political caldron the elements of innumerable evils; and if it does not prove to be a case of "toil and trouble" to the American people, I shall be greatly mistaken.

I am sensible that it is useless for me to stop for a moment to calculate the cost of such a contest. It is useless to speak of the destruction of credit, national, state, and private-of the interruption of our works of internal improvement, the annihilation of our commerce, the prostration of our manufactures, (for it seems we are to have war and free-trade combined,) and the overthrow of our agricultural interests-of the multitude made poor and the few rich-of tasation in every form-of a crushing national debt, and of the thousands, if not hundreds of thousands, who will be sent to a premature grave, because the answer to all this will be, in the language of the honorable member from Massachusetts, (Mr. Adams,) "the war will be a short and a glorious war." I believe in the glory, but not in the item of brevity.

In conclusion, I wish to notice for a moment what has been said on the destiny of this great republic. The most gorgeous pictures have been drawn in this debate of that destiny. It has been assumed as at certain fact, that we are to remain a free and a united people-that a vast population, under the ægis of our institutions, is to pour across this continent, and, reaehing the Pacific, is to spread up and down the coast, everywhere building up cities and villages, and establishing the seats of commerce and the arts, and spreading everywhere the blessings of republicanism, civilization, and christianity. But honorable gentlemen must not forget that these glorious results can be attained only on certain conditions, the principal of which are public and private virtue. If we rejoice in the prospects before us, let us rejoice with fear and trembling. Let us undertake at once the purfication of public morals-let us crush at once the monster party and the infamy of spoils-let us introduce more disinterestedness into our public councils, spread eve $y$ where the blessings of education and of sound christian principles, and especially let us keep clear of that greatest of all curses to republics, unnecessary wars, and then the brilliant anticipations adverted to may be realized.

Having thus given a faithful exposition of my views, I must commit the resuit to the Executive, to the judgment of Congress, and to an overruling Providence; if it shall be a pacific result, I shall rejoice-but if otherwise, we must stand by the country, and every man, in his proper plare and station, must do his duty.



[^0]:    *One of the resolutions submitted by Mr. Darein was at one time adoped by the Committe of the Whole, ly a vote of 101 to 98 . It was afterwards set aside. If it had ultimately receive the sanction of the Committee and of the House, I should have considered it my duty to vote : the notice.

[^1]:    'Immodiately after my remarks were made in committee, the President communicated a recent correspondrnce betweon the two Gowermente, from which it appears that Great Britain
    has oftired againt to subait the matter in dispute either to a neurat power, or to competent citi-
     zens of stch power, w tha commission of eminent citizens of the two combrics, and that our
     Oncon is so very char, it is strange that the vuestion camot he salely comfided h such a man
    as Chief Justice thaney and some himh judicial fimctionary of Great Eritan? Is there not as Chef Jostice thatey and some hish judiciat fimctionary of Great Erituin? Is there not sone darer, under stith circumstance, that the word will thisk that we are not very honest or semero an un areemsions.

[^2]:    "At the ond of the year's noticr, slinuld Comgress think is proper to make provision for giving that notice, we shall have rewhed a period when the national rights in Oregon must either be abandoned or firmly maintaneld. That they ramot iee aboudoned without a sacrifice of national homer and interest is tom clarar to admit of a dubu."

    So it is, in eflect, proposed that we should direet the notice to be given, to enable the President to grasp the whole of Oregon-or, in other words, that we should eo-operate with the Executive in invelving this Republic, at the end of twelve months, if not sooner, in a desolating war with Great Britain.

    Mis. Chairman, I canot so co-operate. I can have no ageney in producing a collision hetween the two powers in the existing posture of the subject. If the Administration would say to us, that we desire to resume the negotiation on the basis of compromise, and to pursue it in the spirit of peace. I would vote the notice. But on the record the President, in substance, stands committed to a war with Great Britain. I purposely refer to the record, as I shall directly insist that the conduct of the Executive has been so extraordinary and so equivocal, that no one can tell precisely what his policy is, or will be. But I choose

