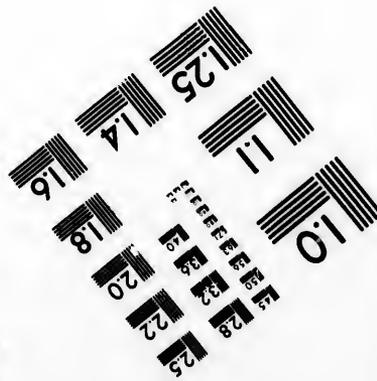
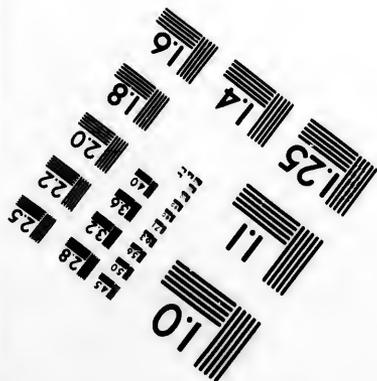
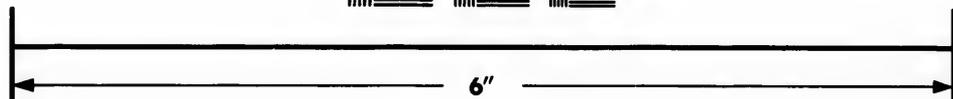
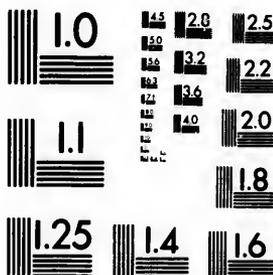


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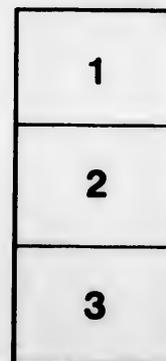
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SPEECH

OF

HON. JEFFER. DAVIS, OF MISS.,

ON

THE OREGON QUESTION.

DELIVERED

IN THE HOUSE OF REPRESENTATIVES, FRIDAY, FEBRUARY 6, 1846.

WASHINGTON:

PRINTED AT THE OFFICE OF BLAIR AND RIVES.

1846.

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THE OREGON QUESTION

Resolution from the Committee on Foreign Affairs, requiring the President to notify Great Britain of the intention of the United States to terminate the joint occupancy of Oregon, and to brogote the convention of 1827, being under consideration in Committee of the Whole—

fr. DAVIS addressed the committee as follows:

fr. CHAIRMAN: In negotiations between Governments, in attempts to modify existing policies, circumstances of the time most frequently determine between success and failure.

How far the introduction of this question may injure our foreign intercourse, the future only can determine; but I invite attention to the present position of affairs. Amicable relations, after a serious rupture, have been but recently restored between the United States and Mexico. The most delicate and difficult of questions, the adjustment of the boundary between us, remains unsettled; and our eyes are fixed upon our Minister at Mexico, with the hope that he may negotiate a treaty which will remove all causes of dispute, and give to us territorial limits, the ultimate advantages of which, could be difficult to over-estimate.

But, sir, hereafter we shall find that, by this exhibition of discussion, portentous of a war with England, unreasonable demands upon the part of Mexico should be encouraged, the acquisition of California be defeated, that key to Asiatic commerce be passed from our hands forever: what will we be able to compensate so great a loss? We are dependent upon the influence which Great Britain exercises over Mexico—we should not expect her to be passive, nor doubt that the prospect of a war between England and the United States would serve to rekindle the former hopes and to renew the recent calamities of Mexico.

But, sir, I have another hope, for the fulfilment of which the signs of the times seem most propitious. An unusually long exemption from a general war has permitted the bonds of commerce to extend themselves around the civilized world, and our eyes are drawn from remote quarters of the globe have been drawn into that close and mutual dependence which foretold unshackled trade and a lasting peace. In the East, there appeared a rainbow which promised that the waters of national jealousy and proscription were about to recede from our earth forever, and the spirit of free trade to prevail over the face thereof.

From this perspective, we saw the ports of California

united to the ports and forests of Oregon; and our countrymen commanding the trade of the Pacific. The day seemed at hand, when the overcharged granaries of the West should be emptied to the starving millions of Europe and Asia; when the canvass-winged doves of our commerce should freely fly forth from the ark, and return across every sea with the olive of every land. Shall objects like these be endangered by the impatience of petty ambition, the promptings of sectional interest, or the goadings of fanatic hate? Shall the good of the whole be surrendered to the voracious demands of the few? Shall class interests control the great policy of our country, and the voice of reason be drowned in the clamor of causeless excitement? If so, not otherwise, we may agree with him who would reconcile us to the evils of war, by the promise of "emancipation from the manufactures of Manchester and Birmingham;" or leave unanswered the heresy boldly announced, though by history condemned, that war is the purifier, blood is the aliment, of free institutions. Sir, it is true that republics have often been cradled in war, but more often they have met with a grave in that cradle. Peace is the interest, the policy, the nature of a popular Government. War may bring benefits to a few, but privation and loss are the lot of the many. An appeal to arms should be the last resort, and only by national rights or national honor can it be justified.

To those who have treated this as a case involving the national honor, I reply, whenever that question shall justly be raised, I trust an American Congress will not delay for weeks to discuss the chances, or estimate the sacrifices which its maintenance may cost. But, sir, instead of rights invaded or honor violated, the question before us is, the expediency of terminating an ancient treaty, which, if it be unwise, it cannot be dishonorable to continue. Yet throughout this long discussion, the recesses and vaulted dome of this Hall have echoed to inflammatory appeals and violent declarations on the sanctity of national honor; and then, as if to justify them, followed reflections most discreditable to the conduct of our Government. The charge made elsewhere has been repeated here, that we have trodden upon Mexico, but cowered under England.

Sir, it has been my pride to believe that our history was unstained by an act of injustice or of perfidy; that we stood recorded before the world as a people haughty to the strong, generous to the weak;

and nowhere has the character been more exemplified than in our intercourse with Mexico. We have been referred to the treaty of peace that closed our last war with Great Britain, and told that our injuries were unredressed, because the question of impressment was not decided. There are other decisions than those made by commissioners, and sometimes they outlast the letter of a treaty. On sea and land we settled the question of impressment before negotiations were commenced at Ghent. Further, it should be remembered that there was involved within that question a cardinal principle of each Government. The power of expatriation, and its sequence, naturalization, were denied by Great Britain, and hence a right asserted to impress native-born Britons, though naturalized as citizens of the United States. This violated a principle which lies at the foundation of our institutions, and could never be permitted; but not being propagandists, we could afford to leave the political opinion unnoticed, after having taught a lesson which would probably prevent any future attempt to exercise it to our injury. Let the wisdom of that policy be judged by subsequent events.

The outrage in the case of the *Caroline*, and in that of the *Creole*, have also been referred to; and though I am not satisfied with the course our Government pursued, I cannot admit that we have shrunk from asserting our rights against Great Britain; because that Government has not avowed the acts of which we have complained.

Now, sir, I will view the other side—the case of Mexico. So far from having trespassed upon her, the facts will bear me out in saying that we have borne more of insult and outrage on our citizens by Mexico, than England ever has, or will ever be permitted to perpetrate. Our citizens have been robbed, our vessels seized and condemned. In two instances the crews were imprisoned (the “*Julius Caesar*” and the “*Champion*,”) in one, the captain of the vessel murdered—the “*Topaz*.” Our treaties have been broken, and in numerous instances the property of our citizens confiscated, in violation of the laws of nations. All this we have borne from a Government we mainly contributed to warm into existence and first introduced to the family of nations. As a neighboring republic, we desired the prosperity of Mexico, and nothing could be more unjust than to charge our Government with seeking aggrandizement from her helplessness.

So much, sir, for the cases which gentlemen have chosen so frequently to compare to our injury. But whatever may have been the conduct of our Government in the past, if we credit the various positions taken in this discussion, we have now arrived at a point where an honorable progress is almost impossible. On the one hand, we are told, not to give notice to terminate the Oregon convention is a dishonorable retreat; on the other, that to give the notice will probably lead to war, and that would be dishonor.

Sir, were there more of justice, there might be more of mortification at having such terms connected with suppositions attached to our Government. We have a right, by the terms of the treaty, to give notice for its termination at our pleasure; and whether we shall exercise the right is now, as it has been, a question of expediency merely. The convention was adopted as a tempo-

rary measure for the preservation of peace, and rescinded, could only restore us to our former position. My colleague, [Mr. Thompson,] however, goes so far as to say that notice is the only way to avoid war; and that to extend our law over our people in Oregon is war—a war of grace. This opinion is new, and I think incorrect. It is certainly different from that which prevailed at the date of the treaty; and opposite to that held for many years thereafter, by those whose labors on the Oregon question have commanded most respect and attention. Not so thought Floyd, Linn, nor Benton.

In the early discussions upon the policy to be pursued in relation to the Oregon territory, no one denied the power to extend our laws over the Columbia valley. The opinion which, in this discussion, has gone to such extent as to denounce emigration to Oregon as stealing into the country is part of the bitter fruit which has grown out of our partnership with Great Britain. The right to migrate to Oregon, to extend our laws, or to erect territorial government over that country, rests alike upon the opinion of our statesmen in Congress, but is supported by the correspondence of the negotiators who formed the Oregon convention.

Upon this point, I will refer to a letter of Alexander Gallatin, dated January 22d, 1846, and recently published in the “*National Intelligencer*,” of the 10th of the present month. As one of the United States Commissioners who negotiated the convention of 1818, he represented our Government in the arrangements of 1827, for its indefinite prolongation, his commentary must be received as the highest authority. The following passage refers to the transactions of 1827, and shows the opinions then held by the negotiators upon this subject.

“It will be seen, by reference to the protocol and correspondence, that, although it was generally admitted that neither party ought, during such continuance, to exercise any exclusive sovereignty over the territory, the American plenipotentiary declined to agree to any convention containing an express provision to that effect, or accompanied by the insertion in the protocol of a declaration for the same purpose by the British plenipotentiaries. The reason was, not only because an exclusive right over Astoria and its dependencies was claimed by the United States, but principally because it was anticipated that, in order to have, in fact, an authority equal to that exercised by the Hudson Bay Company, it would be necessary for the United States to perform conditions which the British Government might consider to be forbidden by such express provision or declaration. The consequence was, that the convention recognises some certain rights, and imposes positive restrictions; but only such as may be supposed to be implied in the clause which declares that nothing contained in it should be construed to impair or affect the claims of either party. The probability that it might become necessary for the United States to establish a territorial government of some sort of government, over their own citizens, was explicitly avowed.”

The circumstances of the case, the early and discussions, and the contemporaneous interpretation of the convention, forbid the novel and extraordinary construction which would decide emigra-

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be a crime, and visit war and disgrace upon us : extending our laws over American citizens settled in territory of which we are recognised to hold possession.

I will now attempt to show that, so far from our citizens being forbidden to emigrate into Oregon by the joint convention, we have a full and entire right to colonize the valley of the Columbia for agricultural purposes.

By discovery, exploration, and settlement, we claimed exclusive sovereignty over that country, when in the war of 1812 we were dispossessed by Great Britain. In accordance with the treaty of peace, we were restored to possession. The subsequent treaty of 1818, for joint privileges in the territory of the country, could not destroy, or otherwise affect our previous rights, except so far as they were incompatible with the stipulations of the treaty. By the third article of that treaty, it is declared that the "only object of the high contracting parties is to prevent disputes and differences among themselves."

Not having been able to decide upon a territorial boundary, it was agreed that the country claimed by either party "westward of the Stony mountains, together with its harbors, bays, and creeks," and "navigation of all rivers within the same," should be, for the term of ten years, "free and open" to the "vessels, citizens, and subjects of the two Powers."

Though in this privilege there is nothing more than open ports and freedom of the country, the possibility of its being construed so as to impair pre-existing rights was guarded against, by a clause in the same article, to the effect that "nothing therein contained should prejudice any claim which either of the contracting parties, or any other Power or State, might have to any part of the country. We claimed to have possession of the valley of the Columbia, and Great Britain had admitted the justice of that claim, by the constructive restoration of the posts at the mouths of the Okanagan and Spookan rivers, and the actual, unconditional surrender of Fort Astoria. Such, then, was our right to southern Oregon at the formation of the convention, and they cannot have been altered during its continuance. Though unconnected with the point which I am pressing, I would here remark, that the article of the convention to which I have referred, by the acknowledgment that other Powers or States might have claims upon the country, presents a sufficient refutation of the charge that we sought at that period to divide the territory, without regard to the claims of Spain.

Mr. Chairman, let us inquire what effect the joint convention had upon our rights in southern Oregon. Pursuing the principle that previous rights should not be exercised so as to destroy those conferred by the convention, it follows that we were restrained from establishing a custom-house, levying duties on British merchants, because this would have been a violation of the agreement that the country should be free and open; but that the joint right to trade throughout the whole territory should be construed to deprive the party previously in possession of the right to settle in it for any other purpose, is wholly irreconcilable, except upon the supposition that the convention was the agreement of fur-trading and trapping companies, and designed to prevent an agricultural settlement. Otherwise, it is to contend that

the minor contained the major power; that the temporary regulations of trade had swallowed up the right of permanent possession.

The only Power which could object to our claim was Spain. We now possess the Spanish title, extending our territorial rights to the Russian possessions in the north; and this brings us into conflict with Great Britain upon more ancient and complex questions.

I will not weaken the position of our Secretary of State, by adding anything to his demonstration of the commercial character of the treaty of 1790, (known as the Nootka Sound convention,) nor the irresistible conclusion that the war of 1796 between the contracting parties had annulled it, as all other treaties of those Powers. But as the British Government now rests its claim entirely upon that treaty, and the present Minister, in his correspondence with our Secretary, asserts that "the Nootka Sound convention has continued in full and complete force up to the present moment," I will, for the sake of argument, so consider it. To admit that convention to be still in force, it is necessary to consider it as a declaration of rights independent of and above the treaty; not the grant of advantages under it. Now, let us see what consequences follow from this admission. That Spain, under the established usage of European nations, by the early voyages of her navigators, had acquired the exclusive right of occupation in the northwestern coast of America, as far as their discoveries extended, was not denied; but the question was, Had she, without having occupied the country, an exclusive right of sovereignty over it? Several of the States of Europe fitted out expeditions for discovery along the continent, and among the adjacent islands. The Spanish Government, it is supposed, to conceal from other nations the discoveries of her navigators, withheld them from publication, and thus claims of discovery were laid on places which the Spaniards previously had visited.

When Captain Cook made his voyage in 1778, the first point at which he landed on the northwestern coast was "Nootka Sound." Though the Indians possessed iron instruments—an evidence of intercourse with European traders—the previous discovery of Perez not having been published, the port San Lorenzo of the Spaniards was claimed as a discovery by Cook, and he gave it the name it bears—"Nootka Sound."

The publication of Cook's voyage opened a new field for commercial enterprise; the fur trade of the north Pacific was actively engaged in; and Nootka Sound became a place of common resort by vessels trading in the north Pacific.

These movements were viewed with dissatisfaction by the Court of Madrid. The fear was entertained that establishments might be formed in those regions, which would endanger the dominions of the Spanish crown on the northwest coast of America, and various means were adopted to counteract it.

In 1788, Lieutenant Meares, an Englishman, commanding a trading vessel under Portuguese colors, entered Nootka Sound; and wishing to leave a portion of his men at "Friendly Cove" to build a coasting vessel, obtained permission from the Indian chief (Maquinna) to erect a hut on shore for their accommodation. This forms the

on of peace, and to our former [HOMPSON,] how notice is the extend our la ar—a war of d I think incorr at which previe pposite to that h those whose lab manded most thought Floyd, a the policy to n territory, no laws over the which, in this nt as to denou into the coun has grown on The right to laws, or to ere country, resta statesmen in C correspondence e Oregon conve o a letter of Al 846, and recei lligence," of States Commissi ation of 1818, the arrangem on, his c highest author o the transacti s then held by ce to the proto ough it was ge rty ought, du any exclusive American plen ny convention o that effect, or e the protocol of a py the British p s, not only bec a and its depend States, but pri ed that, in orde al to that exerci onvention had upon our rights in southern Ore on. Pursuing the principle that previous rights should not be exercised so as to destroy those conferred by the convention, it follows that we were restrained from establishing a custom-house, levying duties on British merchants, because this would have been a violation of the agreement that the country should be free and open; but that the joint right to trade throughout the whole territory should be construed to deprive the party previously in possession of the right to settle in it for any other purpose, is wholly irreconcilable, except upon the supposition that the convention was the agreement of fur-trading and trapping companies, and designed to prevent an agricultural settlement. Otherwise, it is to contend that

foundation of the British claim to the priority of settlement at Nootka Sound. This event, seemingly so unimportant, in 1790 came near producing general war in Europe, and its results seem now to threaten the peace between England and the United States.

In the examination of this question, so much depends upon the initial point, that it deserves especial scrutiny. First, for the character and purposes of Meares, I will read from the work of a contemporary, Captain Dixon, one of the most enterprising of the navigators in the north Pacific.

The title of the work is "Dixon's Voyage round the World." At page 155, after stating that he met Meares at Prince William's Sound in 1787, and learned from him that he had been as far as Cook's river, he gives Meares's statement thus: "He met with a party of Russian settlers, who informed him that the land to the eastward of the strait is called Codiak, and that they had a settlement there; likewise, that two European vessels were then at anchor at Codiak, and that they had lately seen two other ships in Cook's river. * * * This intelligence induced him to steer for Prince William's Sound." At pages 156, 157, he gives an account of an interview with Meares and his first mate, Mr. Ross: "From them we learned that the fur trade on this coast had been carried on from different parts of the East Indies for some years. They told me various stories respecting their success in trade; but on these much reliance was not to be placed, as the captain and mate seldom agreed in their accounts." Thus we are informed of the pursuit of Meares; and the little credibility given to his statements prepares us for the discrepancies between his Journal and Memorial. A fur trader, cruising on previously-explored portions of the coast in 1787—his veracity impugned, and his crew, on the same authority, stated to have been disabled by disease, which resulted from drunkenness,—we are prepared to find him, the next year, sailing under a foreign flag, to evade the revenue laws of China, and in violation of privileges his Government had conferred upon two companies of his countrymen; with papers, the character of which were doubtful, if not piratical.

It is worthy of remark, that whilst the British Government has opposed the claim of Captain Gray to discovery of the Columbia, because he was a private citizen, and his vessel private property, though sailing with the papers and under the colors of our Union; whilst they have denied the nationality of discovery unless under the orders of his Government, a claim is nevertheless based upon the asserted settlement of Meares whilst trading under the flag of Portugal.

Sir, the claim of England on the northwest coast of our continent has gone through many changes; but from the fanciful voyage of the piratical favorite of Queen Elizabeth, Captain Drake, down to the fur-trader, Meares, there is one common feature—plunder of the Spaniards. In the former instance, it was termed "sharing in the riches extorted from the unfortunate princes of Mexico and Peru;" in the latter, it was the right to trade in the unoccupied regions of America. In after times, a claim was based on each for territorial acquisition. The claim upon the voyage of Drake has been exploded; if that of Meares should prove to be with-

out foundation, is there another still? The claim of the ar to Nootka rests upon the supposition that Bruapply then subjects were dispossessed, and, under the latter shows title of the treaty of 1790, had a right to rest territorial ri tion. The first inquiry is, had British subjects ed settlem land at Nootka? Meares, in his Narrative, sayA new ass made arrangements, May, 1788, with the In at Macao, king, Maquinna, who "most readily consented he did no grant us a spot of ground in his territory, wh agent of th 'on a house might be built for the accommod the vessel 'of the people we left behind." "In return" his Memor "chief was presented with a pair of pistols." tion to a conclusion is immediate, that the grant was neast coast of for a temporary purpose. But all doubt is appear; nor i end after reading his account of the interview sets of land Maquinna. When in the June following he ferred to th about to leave the port, he says, "As a bribe, to form a 'secure Maquinna's attachment, he was promularly at N 'that, when we finally left the coast he should Captain Co 'ter into full possession of the house, and all English color 'goods thereunto belonging." ese instruct

The temporary purpose, the specific object, a Spanish co contemplated abandonment of the "spot of groun ace, and in are plainly shown in the above extracts; and British fort of learning from his Journal that he bought the po invasion of of Maquinna for a short period by the prom allowed, wh inheritance of the hut and chattels, how cannd the seiz credit the preposterous claim of his Memorial, Princess R pared at a subsequent period, to tracts of land riving at th to be purchased of Maquinna; or the equally a prize. A tradictory statement of a witness, that the chief essage (Ma the country did homage to Meares as their soverain to its eign? The evidence that he bought no land he negotiati Maquinna, that he never asked permission to manvention. a permanent settlement there, is abundant inomplains of narrative of Meares itself; but as, according to goes, and uniform agreement of European nations, such the commo and purchase would have availed nothing agreemnt to b the claim of Spain by first discovery, it is use exclusive oc for any practical purpose to pursue it. overeignty,

The pretended settlement of Meares at Nooprail instinc Sound was described by Captains Gray and Inagotiation. ham, who had been at the spot (1788) before it el captured abandoned. (See the statement submitted by treaty, the f in 1792.) They say, "there was a house, or ratoration to B a hut, consisting of rough posts, covered w land. T boards, made by the Indians, but this Capt. Do spot of grou lass" (the lieutenant of Meares, and command for a tem the Iphigenia,) "pulled to pieces before sailing." Since 1822 the Sandwich Islands the same year." If, the heir claim had been intended to take possession in default et they hav the Spanish Government to follow up discovey that cla by occupation, the destruction of "the hut" ents. Our proof that the intention was abandoned. The 20th Sep Viceroy of Mexico, in the following year, (178 Minister, (sent Don E. J. Martinez to inquire into trespass assumept upon the rights of his Catholic Majesty. He said to be regi with an armament, under instructions to mak fully given. settlement at Nootka. On his arrival at that place," that 6th of May, 1789, he found the "Iphigenia" growth. Friendly cove, to which place she had returned Mr. Cha after wintering at the Sandwich Islands. She convention commanded by a Portuguese, (Viana,) Captings and tr Douglass being in the character of supercargo. coast of Ar in the previous year, she sailed under the Por which Brit guese flag, and carried Portuguese papers. M the month tinez demanded why she was at anchor in a pthc transac belonging to the sovereignty of Spain; and whas been s answered, "that they had put in, being in digh officer tress;" * * * "that they were in daily explace, that

er still? The position that they should be supplied, when they should depart." This is shown, under the laws, at that period, there was no claim of a right to recover territorial rights by the party who made the present settlement of Meares.

A new association for the fur trade was formed at Macao, which changed the plan of Meares, he did not return to the coast of America, but, as agent of the association, he gave instructions to the vessels it sent out. From these, as attached to his Memorial, it is evident that there was an intention to make an establishment on the north coast of America, but at what point does not appear; nor is there a word about the purchased lots of land at Nootka Sound, but that point is referred to thus: "We recommend you, if possible, to form a treaty with the various chiefs, particularly at Nootka."

Captain Colnett, of the ship Argonaut, (under whose colors,) was the first, who, sailing with these instructions, arrived at Nootka. He found

a Spanish officer, Martinez, in possession of that spot of ground, and informed him of his intention to erect a fort, and to purchase the land. This Martinez resisted as the invasion of his sovereign's right; an altercation followed, which resulted in the arrest of Colnett and the seizure of his vessel. Afterwards, the Princess Royal, consort of the "Argonaut," arriving at the same port, was also seized and taken for a prize. This transaction was the subject of a message (May 5th, 1790) from the King of Great Britain to its Parliament, and formed the basis of the negotiations which led to the Nootka Sound convention. Though the message of the King complains of the capture of vessels, the seizure of crews, and the imprisonment of crews; though, at the commencement, the point to be discussed seemed to be the distinction between the right of exclusive occupation, and the right of exclusive sovereignty, navigation, and commerce; the territorial instinct of Great Britain was aroused by the capture of vessels and cargoes seized, closed with a treaty, the first article of which, was for the restoration to British subjects of buildings and tracts of land, covered by a house, or other structure, erected on this spot of ground, and the fur traders' hut erected, and commanded for a temporary shelter.

Since 1826, the British negotiators have rested their claim upon the Nootka Sound convention; they have not informed the world to what extent that claim may go, or on what basis it now rests. Our Secretary of State, (Mr. Calhoun,) in a letter to the British Minister, (Mr. Pakenham,) asked the reason for these assumptions from the Nootka convention. It is to be regretted that the reasons have not been fully given. That "spot of ground is so extensive, that it were well to fix some limit to its growth."

Mr. Chairman, the first article of this Nootka convention provides for the restoration of "buildings and tracts of land situated on the northwest coast of America," or on the adjacent islands, of which British subjects "were dispossessed about the month of April, 1789." The reference is to a transaction at Nootka Sound; and I believe it has been sufficiently proven, that when the Spanish officer arrived, there were no buildings at the place, that no tracts of land were claimed by Brit-

ish subjects, and therefore that the article was void.

The second article provides for compensation for the losses sustained by acts of violence. This was fulfilled by the payment of the sum agreed on—\$210,000—and which probably much surpassed any loss sustained.

The third article gives to the subjects of both the contracting parties the right to land on the coast of the Pacific or South sea, "in places not already occupied, for the purpose of carrying on their commerce with the natives of the country, or of making settlements there," subject to the restrictions in the following articles.

Among the restrictions, the only one having an important bearing on the right to make settlements, is in the fifth article, which limits those settlements to the coast and adjacent islands "situate to the north of the coast already occupied by Spain." This treaty was formed in 1790. In 1789, Spain settled Nootka; therefore, the joint right of settlement was north of this point. Then, sir, the question arises: what extent of ground did the Spanish settlement cover? The established usage is, that settlement on any part of an island, is considered as extending to the whole. The line, if this be correct, which forms the southern limit of the British right to make settlements under the Nootka convention, is to be drawn through the head of Quadra and Vancouver's Island.

Mr. Chairman, accustomed to believe that British subjects had no right to settle, except for purposes of fur trade, in the region of Astoria and its dependencies; that it was sheer assumption on their part to claim authority to make permanent settlements in southern Oregon; I listened with much surprise to the gentleman who yesterday construed the claim as extending to the whole coast down to Mexico. British diplomatists are seldom barred by modesty from asking for enough; but this construction surpasses any they have ever made, and, if correct, would greatly modify my opinions on our present policy. I have endeavored to construe the Nootka convention by its terms; now, sir, I will refer to its history, as illustrative of the object the British negotiators had in view. In what part of the coast of northwestern America had British subjects sought to trade? The publication of Cook's voyages originally attracted British enterprise to the American coast of the north Pacific. Cook first landed at Nootka, and his examinations were thence northward. The British adventurers in the fur trade followed in his track. To show that they neither engaged in, nor valued the trade south of that point, I will read another passage from "Dixon's Voyage round the World." Attached to his journal is a condensed history of the fur trade, as it existed two years before the Nootka treaty. Page 321, he says: "From this short sketch of the fur trade, thou mayest easily perceive that many great advantages would be derived from it, if placed on a permanent footing; to effect which, I should conceive the most eligible plan would be to establish a factory on the coast; and the north end of Queen Charlotte's island seems peculiarly well adapted for that purpose; the situation is nearly central, between Cook's river and King George's Sound; and we are well assured that the furs to the southward are of a very inferior quality." The region, then,

(in which the trade existed, for which British negotiators were contending,) was from King George's Sound to the north. Would they embarrass the treaty by a stipulation not important to the object?

But we are not left to speculation on this point; the debates in the British Parliament, and the position taken by the Spanish commissioner, Quadra, show the interpretation given to the treaty by both Governments at the date of its formation.

I will read two extracts from the parliamentary debates, and each shall be from those most anxious to give a wide and favorable construction to the treaty.

The Duke of Montrose, who in the House of Lords moved an address of thanks to his Majesty for the successful termination of the Spanish negotiations, December 13, 1790, enumerating the advantages derived from the Nootka convention, said: "We are not only restored to Nootka, but, 'by an express stipulation, we may participate in 'a more northern settlement.'"

Mr. Duncombe, who moved the address in the House of Commons, December 14th, 1790, said: "It was in consequence of an unprovoked insult 'that satisfaction had been demanded, and that 'satisfaction was obtained by the convention, 'which also secured to us the means of extending 'our commerce and navigation, and of giving additional vigor to our manufactures.'" Each treats it as an acquisition of advantages, and the highest claim is restoration to Nootka, and the privilege of making more northern settlements.

Throughout the long debate, there is nowhere to be found a claim to territorial acquisition by the treaty; and to the bitter irony and jeering taunts of Mr. Fox upon the position in which the territorial pretensions of Great Britain had been left, his great rival, Mr. Pitt, then premier, made no reply, but continued to urge the commercial advantages his Government had gained.

To our times has been left the conflict of construction foreshadowed by Mr. Fox when he sarcastically proposed to write in the margin of most of the articles of the convention, "This will afford 'an admirable opportunity for the future display 'of the power and energy of Great Britain.'"

Señor Quadra and Captain Vancouver met at Nootka Sound in 1792, commissioned to carry out the first article of the treaty, called the Nootka Sound convention. Fortune favored the examination of the case, in the number of witnesses that happened to be present. Captains Gray and Ingraham, who witnessed the transactions in 1788 and 1789, were again at Nootka. In answer to interrogatories, they presented a written statement, conclusive as to the temporary character of Meares's building, and that it was destroyed by his associates. They further stated, that though they had been long in trading intercourse with the natives of the island, and spoke their language, they had never heard of any lands having been purchased by Meares. The Portuguese captain, Viana, was also there, and corroborated the statement of Captains Gray and Ingraham. Maquinna and the neighboring chiefs denied that they had ever sold any lands to British subjects. Thereupon, Señor Quadra decided that no lands were to be restored.

After a long correspondence, it was finally decided by Vancouver, who proposed to refer the

matter back to the two Governments, and in meantime recognised Nootka as a Spanish port.

Attempts have been made to prove that subsequently the port of Nootka was surrendered to a British officer; but this is rendered very improbable from the contradictory statements, as well as fact, that in the next year, (1793,) Spain and Great Britain formed an alliance, "an intimate and energetic concert, to oppose the dangerous views of aggression and aggrandizement on the part of France."

But, sir, it is for those who assert the restituted to have been made, to produce the evidence of such fact. Until this be done, it may well be assumed that Spain abandoned the post as useless, whether friendly alliance with Great Britain removed the apprehension which had led to its formation.

Then, sir, following the position of the British Minister, (Mr. Pakenham,) that the Nootka convention is still in force, and combining the relation of that treaty with those of the British and American convention of 1827, we have the rights of contracting parties varying in each of the geographical divisions of the territory. In the northern division, the Nootka convention gives joint right of trade and settlement. In the southern division, the United States have possession, and the convention of 1827 gives to British subjects joint right of trade and navigation. In the intermediate division—the region between the valley of the Columbia and the most northern Spanish settlement in 1790—the rights and privileges of both parties are subject to the convention of 1827, and limited by its provisions, are confined to purposes of trade.

The convention of 1818, prolonged in 1827, was designed to "prevent disputes," and leave the country "free and open" to both of the contracting parties. It provided that neither, during its continuance, should do anything to impair the claims of the other party. The object, the privilege, and the proviso alike combine, to forbid either party from extending its agricultural settlements beyond the previously permitted limits. While therefore, we should restrict our permanent establishments to Astoria and its dependencies, we have a right to require England to confine hers within the bounds prescribed by the Nootka convention. Sir, the notice which I think is most demanded in our present situation, is, to inform Great Britain that her agricultural settlements south of Puget Sound violate both the object and the terms of our treaty, and cannot be permitted. The enforcement of that notice, and the natural progress of events would finally secure to us not only all of our ancient claims, but also those we have acquired by purchase of the Spanish title—the whole of Oregon.

Mr. Chairman, when the bill reported by the territorial committee was postponed for the resolution which we are now discussing, the order indicated both by the President and our present circumstances, seemed to me reversed.

In the Annual Message of the Executive to this Congress, we are recommended to pass a law for the termination of the Oregon convention; but we are told in the same communication, "beyond all question, the protection of our laws and our jurisdiction, civil and criminal, ought to be immediately extended over our citizens in Oregon."

We are further recommended to establish agencies among the Indian tribes west of the "Rocky mountains," and to protect the route from our Mis-

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souri settlements to Oregon by a sufficient force of mounted riflemen. Now, sir, I wish these recommendations to be carried out in the order which circumstances indicate. The laws, the agencies, and the riflemen first; the notice afterwards.

The emigrant from the United States to Oregon passes over a prairie desert, infested by roving bands of predatory savages, and emigration is retarded by the hazard of the trip. To keep the country "open" to our people, we need riflemen to watch the gate.

The Hudson Bay Company, by its unrivalled trade among the tribes of Oregon, has acquired an influence which it is important to counteract—for this, Indian agents are required.

British laws have long since been extended into Oregon for the benefit of British subjects. Shall we refuse to do as much for the citizens of the United States? No, sir. Nor will the recently manifested spirit of emigration admit of delay. Our people have removed the "Far West" into Oregon. American hearts have gone over the mountain, and American laws should follow.

Sir, we have been asked why our citizens have left the repose of civil government to plunge into the haunts of savage beast and savage man. For an answer, I point to the energy and restless spirit of adventure which is characteristic of our people, and has contributed much to illustrate our history in peace and in war. They have exchanged repose for forest danger and privation; they have gone to the school of the wilderness, from which came forth the moral dignity of Daniel Boone, the giant greatness of Andrew Jackson.

What obligation—whose right—have our emigrants violated? They have gone into territory indisputably our own: into the valley of the Columbia, to Astoria and its dependencies. If to hold for the common benefit the common property—to tame the wilderness and render it productive—incur sentence of excommunication,

"Methinks the punishment surpasses the offence."

But the peaceful agricultural character of the emigration is denied, if, with the axe and plough, they also take the rifle. Sir, the rifle is part and parcel of the frontier man. It contributes both to his food and his defence. You might as well divide the man and horse of the fabled Centaur, as take his rifle from the western pioneer. The tide of emigration bears them westward; westward let it flow, until, to use the idea of the lamented Linn, our people shall sit down on the shores of the Pacific, and weep that there are no more forests to subdue. The purpose with which our citizens have emigrated into Oregon is agricultural; that of the Hudson's Bay Company, to keep the country in its wilderness condition for the advantages of fur trade. The distinction well expresses the difference between the Governments they represent. One popular, and seeking to enlarge the circle of its benefits; the other restrictive, confines its favors to a few, (in the strong language of an English writer, noticing this subject,) "like a harsh step-mother, pets the favorite, and plunders the family."

Whatever interests Great Britain had were conferred upon the Hudson Bay Company, with power to exclude British subjects from the territory; and notwithstanding much has been said about colonization by that company, I believe the practice has

been to require discharged servants to leave the country. Fur-trading is the antagonist of colonization; and I doubt not, if the Hudson Bay Company could control the destiny of Oregon, with a very small exception, it would remain the field of hunters and the home of fur-bearing beasts.

Sir, both in the legislative halls of the States and in primary assemblies of the people, a general determination has been shown against permitting a policy so narrow and so sordid to control a territory we believe to be our own. This wish of the people meets no opposition here. Then, sir, waiving the consideration of any sinister motive or sectional hate which may have brought allies to the support of the resolution now before us, I will treat it as singly aiming at the object which in common we desire—to secure the whole of Oregon to the United States.

Thus considered, the dissolution of the Oregon convention becomes a mere question of time. As a friend to the extension of our Union, and therefore prone to insist upon its territorial claims, I have thought this movement premature, that we should have put ourselves in the strongest attitude for the enforcement of our claims before we fixed a day on which negotiations should be terminated. That nation negotiates to most advantage which is best prepared for war. Gentlemen have treated the idea of preparation for war as synonymous with the raising of an army. It is not so; indeed that is the last measure, and should only be resorted to when war has become inevitable; and then a very short time will always be, I trust, sufficient. But, sir, there are preparations which require years, and can only be made in a state of peace; such are the fortifications of the salient points and main entrances of our coast. For twenty-odd years, southern men have urged the occupation of the Tortugas. Are those who have so long opposed appropriations for that purpose, ready to grant them now in such profusion that the labor of three years may be done in one? No, sir; the occasion, by increasing the demand for money elsewhere, must increase the opposition. That rock, which nature placed like a sentinel to guard the entrance into the Mediterranean of our continent, and which should be Argus-eyed to watch it, will stand without an embassage to look through.

How is the case in Oregon? Our settlements there must be protected, and, under present circumstances, an army of operations in that country must draw its food from this; but we have not sufficient navy to keep open a line of communication by sea around Cape Horn; and the rugged route, and the great distance, forbid the idea of supplying it by transportation across the mountains. Now, let us see what time, and the measures more pointedly recommended by the President, would effect. Our jurisdiction extended into Oregon, the route guarded by stockades and troops, a new impulse would be given to emigration; and in two or three years the settlement on the Willamette might grow into a colony, whose flocks and herds and granaries would sustain an army whenever one should be required.

By agencies among the Indian tribes, that effective ally of Great Britain which formerly she has not scrupled to employ, would be rendered friendly to our people. In the meantime, roads could be constructed for the transportation of munitions of

war. Then we should be prepared to assert, and effectively maintain, our claims to their ultimate limits.

I could not depreciate my countrymen; I would not vaunt the prowess of an enemy; but, sir, I tell those gentlemen who, in this debate, have found it so easy to drive British troops out of Oregon, that between England and the United States, if hostilities occur in that remote territory, the party must succeed which has bread within the country.

Mr. Chairman, convinced of the necessity of being secure at home, before we can act efficiently abroad—instructed by the history of our army's embarrassments on former occasions—I desired such delay as would enable us to take the preparatory steps to which I have alluded. Other opinions prevail, and from among the various propositions submitted, it is necessary to select. These may be divided into two classes—such as propose to give notice for the termination of the Oregon convention, to exercise exclusive sovereignty over the whole territory—and such as propose the notice, to expedite negotiations. The first is advocated by those whose creed, as announced by themselves, is, “the whole of Oregon or none, now or never;” which so inevitably leads to war, that I have been surprised to hear it announced that war need not follow its adoption. Will England abandon a claim for which she has been more than fifty years contending, because we have ordered her to do so? Grant that she needs, and desires peace; yet her position before the Powers of Europe would not allow her to submit to such unceremonious expulsion; but at the expiration of twelve months after the notice has been given, in the language of the President, “we shall have reached a period when the national rights in Oregon must either be abandoned or firmly maintained.” Sir, I will not suppose them abandoned, but will ask the peculiar friends of this policy, by what means they propose to maintain—what preparations they have made to enforce them? Before terminating the convention, as much time as is desirable may be taken, without affecting our claim, but immediate action is required afterwards; because thenceforward possession matures into title. But if we should supinely sit down after taking a step that required us to advance, would our far-seeing rival neglect the advantage?

The case is too plain to admit of a doubt: energy alone could preserve our rights, and those who advocate this policy should have preceded the measure by preparations for war. This has not been done; our credulity has even been taxed by assertions that it was the way to secure peace; and our vanity fed by assurances of the ease with which we could conquer Great Britain. The interest of my constituents will not allow me to be credulous; I can trust to no such siren song as this. Then, sir, it only remains for me to cooperate with those who couple with the notice further negotiation; and this implies a probable division of the territory; for it is idle to offer to treat, with a determination to claim the whole matter in dispute. We have been told in this discussion that negotiations were at an end, and that the British Government would never accept the ultimatum of the United States. I have no means of knowing what that Government will do, than as the history of the past may speak for the

future. The negotiations of Ghent will justify us in believing that Great Britain may reject propositions, and afterwards accept them—may offer ultimatums, and finally recede. But why is it said that negotiations are at an end? It is true they have been fruitless; but unless we destroy it, a wide margin remains for their future operation, and more than one mode for their conduct. Arbitration was declined; and in view of our situation it could not be otherwise, for where could an arbiter be found? Sir, let us look around. The Germanic States, with Prussia at their head, having found themselves unable to restrain emigration, were last year engaged in devising the means to divert it from our republic; and among other reasons for this policy was prominent the opinion, that emigrants to this country became imbued with the love of free institutions, and by their correspondence, produced dissatisfaction among the friends they had left behind them. Our old ally, France, jealous of our rapid growth, has recently resisted the extension of our territory, and now wishes to import to this continent the European balance of power. But why specify. The conflict of systems is at hand; despotism sits frightened on the sleeping giant of popular strength; our republic is watched as the disturbing intruder; and every move which threatens his waking, increases the hate towards us. Not, then, to a crowned head could we submit the question of our territorial limits. But are there not other modes? Those who, believing our title indisputable, reject all further negotiations about territory entirely our own, but draw a conclusion which follows from their premises.

So far as other claims have been presented, I believe, as the President affirms, that our title to Oregon “is the best now in existence;” yet I am far from being able to assert that it is perfect. The dust of ages has accumulated on the parchment, obscured its characters, and the best minds have labored in vain to bring them distinctly into light. The obscurity of the title has induced, time and again, the proposition to divide the territory as the only mode of quieting illy-defined and conflicting claims. Sir, when gentlemen assert that our title is indisputable to the whole territory up to 54° 40' of north latitude, they place our Government in no enviable position. What! have we been offering to surrender part of the domain of this republic to buy a peaceable possession of the rest? I rejoice to believe that such charge can never be sustained; and for this democratic Administration, I deny that it would ever claim the power, or have the wish, to mutilate the territory of our Union. I have expressed my belief that our title is the best to the whole of Oregon; but no title can be perfect without occupation; and let it be remembered, that north of the 49th parallel, with the exception of the settlement at Nootka Sound, there has never been by Spain or ourselves any actual possession. If gentlemen will not make the distinction between American soil and an undefined, imperfect claim, I rely upon the country to supply the deficiency. Mr. Chairman, if we pass this notice, but make no adequate provision for the common defence, the President will be reduced to the necessity of adjusting the rival claims within twelve months by treaty, or plunging the country unarmed into war.

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If, sir, reduced to this alternative by those whose eager haste would not be warned, he shall obtain by treaty such a boundary as will neither forfeit the more important interests, nor compromise the honor of our country, I shall esteem the termination fortunate. Much as I wish our Union to possess the whole of Oregon, I would, in that case, approve of its division, and be prepared to meet whatever censure might fall upon the act. In advance, and in anticipation of such a contingency, I will announce my willingness to take the 49th parallel of latitude, extended on to the Pacific ocean: not that this parallel is called for by any treaty stipulation, but that the boundary is undefined; and this line avoids any question which can be a point of honor to either country. It is above our most northern post on the Columbia river, and south of the British explorations on Frazer's river. It gives to each a part of Quadra and Vancouver's island, and divides the harbors of the coast. It is not all that we might claim by fair construction of the Nootka Sound convention; but the concession is not greater than is due to other interests—due to the spirit of the age, and the prosperity that awaits our Government in peace. Possessed, as by this line we should be, of the agricultural portion of the country, of the Straits of Fuca, and Admiralty Inlet, to American enterprise and American institutions we can, without a fear, intrust the future. If the contracting parties cannot thus agree, are, then, negotiations at an end? Though we could not find an arbiter to whose decision it would be proper to submit our claims—to hush the clamor of aggrandizement raised against us—to be justified before the world in any consequences which may follow, secure in the justice of our cause—we might refer the question to a mixed commission, a board equally composed of British subjects and American citizens, with power to choose an umpire between them some man whose wisdom would give force to his opinion, and whose character would remove him beyond the influence of a sordid motive. Freed from the restraints of diplomatic form, much good might follow such a course; at least, we might expect to learn to what last port this floating British claim is driven for a refuge.

Mr. Chairman, unfortunately the opinion has gone forth, that no politician dare to be the advocate of peace, when the question of war is mooted. That will be an evil hour—the sand of our republic will be nearly run—when it shall be in the power of any demagogue, or fanatic, to kindle a war clamor, and control the legislation of the country. The evils of war must fall upon the people, and with them the war feeling should originate. We, their representatives, are but a mirror to reflect the light, and never should become a torch to fire the pile. But, sir, though gentlemen go, torch in hand, among combustible materials, they still declare there is no danger of a fire. War speeches, and measures threatening war, are mingled with profuse assurances of peace. Sir, we cannot expect, we should not require, our adversary to submit to more than we would bear; and I ask, after the notice has been given, and the twelve months have expired, who would allow Great Britain to exercise exclusive jurisdiction over Oregon? If we would resist such act by force of arms, before ourselves performing it, we should prepare for war.

Some advocates of this immediate notice have urged their policy by reference to a resolution of the Democratic Baltimore convention, and contended that the question was thereby closed to members of the Democratic party. That resolution does not recommend immediate notice, but recommends the "reannexation of Texas" and the "reoccupation of Oregon" at the "earliest practicable period." The claim is strongly made to the "whole of Oregon;" and the resolution seems directed more pointedly to space than time. Texas and Oregon were united in the resolution; and had there been a third question involving our territorial extension, I doubt not it would have been united with the other two. The addition of territory to our Union is part of the Democratic faith, and properly was placed in the declaration of our policy at that time. To determine whether that practicable period has arrived, is now the question; and those who cordially agree upon the principle of territorial enlargement have, and may continue still to differ on that question. Sir, though it is demonstrable that haste may diminish but cannot increase our chances to secure the whole of Oregon, yet because southern men have urged the wisdom of delay, we have had injurious comparisons instituted between our conduct on Texas annexation and Oregon occupation. Is there such equality between the cases that the same policy must apply to each? Texas was peopled, the time was present when it must be acquired, or the influences active to defeat our annexation purpose would probably succeed, and the country be lost to us forever. Oregon is, with a small exception, still a wilderness; our claim to ultimate sovereignty cannot be weakened during the continuance of the Oregon convention. That ill-starred partnership has robbed us of the advantages which an early occupation would have given to our people in the fur trade of the country, and we are now rapidly advancing to a position from which we can command the entire territory. In Texas annexation we were prompted by other and higher considerations than mere interest. Texas had been a member of our family; in her infancy, had been driven from the paternal roof, surrendered to the government of harsh, inquisitorial Spain; but, true to her lineage, preserved the faith of opposition to monarchical oppression. She now returned, and asked to be admitted to the hearth of the homestead. She pointed to the band of noble sons who stood around her, and said, "Here is the remnant of my family; the rest I gave a sacrifice at the altar of our fathers' God—the God of Liberty." One, two, three, of the elder sisters strove hard to close the door upon her; but the generous sympathy, the justice of the family, threw it wide open, and welcomed her return. Such was the case of Texas: is there a parallel in Oregon? But who are those that arraign the South, imputing to us motives of sectional aggrandizement? Generally, the same who resisted Texas annexation, and now most eagerly press on the immediate occupation of the whole of Oregon. The source is worthy the suspicion. These were the men whose constitutional scruples resisted the admission of a country gratuitously offered to us, but now look forward to gaining Canada by conquest. These the same who claim a weight to balance Texas, whilst they attack others as governed by sectional considerations. Sir, this doctrine of a political balance be-

tween different sections of our Union, is not of southern growth. We advocated the annexation of Texas as a "great national measure;" we saw in it the extension of the principles entrusted to our care. And if in the progress of the question it assumed a sectional hue, the coloring came from the opposition that it met; an opposition based not upon a showing of the injury it would bring to them, but upon the supposition that benefits would be obtained by us.

Why is it that Texas is referred to, and treated as a southern measure merely, though its northern latitude is 42°? and why has the West so often been reminded of its services upon Texas annexation? Is it to divide the South and West? If so, let those who seek this object cease from their travail, for their end can never be attained. A common agricultural interest unites us in a common policy, and the hand that sows seeds of dissension between us will find, if they spring from the ground, that the foot of fraternal intercourse will tread them back to earth.

The streams that rise in the West flow on and are accumulated into the rivers of the South; they bear the products of one to the other, and bind the interests of the whole indissolubly together. The wishes of the one wake the sympathies of the other. On Texas annexation the voice of Mississippi found an echo in the West, and Mississippi re-echoes the call of the West on the question of Oregon. Though this Government has done nothing adequate to the defence of Mississippi, though by war she has much to lose and nothing to gain, yet she is willing to encounter it, if necessary to maintain our rights in Oregon. Her Legislature has recently so resolved, and her Gov. error, in a late message, says: If war comes "to us it will bring blight and desolation; yet we are ready for the crisis." Sir, could there be a higher obligation on the representative of such a people than to restrain excitement—than to oppose a policy that threatens an unnecessary war?

Mr. Chairman, I wish not to eulogize the State which I have in part the honor here to represent; and her history, brief as it is, relieves me from the necessity of pledging her services to our Union in the hour of its need. But the marked omission of the gentleman from Missouri [Mr. L. H. Sims,] requires my attention. In recounting the services of the past as earnest for the future, he gave to every neighboring name a place, but left out Mississippi. Passed over it unheeded in his transit from Alabama to New Orleans. Sir, let me tell him that Mississippi's sons bled freely in the Creek campaigns, and were leaders at Pensacola; further let me tell him that when they heard of an invading foe upon the coast of Louisiana, the spirit was so general to sally forth and meet him at the outer gate, that our Governor issued orders to restrain their going; and on the field to which he has so specially alluded—the battle of New Orleans, Mississippi dragoons, led by our gallant Hinds, performed that feat, which the commanding general announced as the admiration of one army and the wonder of the other. Sir, I will only add, that whenever the honor of our country is assailed, whenever its territory is invaded—to the North or to the South, to the East or to the West—if then we shall be warned of the prowess of the foe; if then we shall hear of armed fleets that skim along the sea and wait like

birds of prey to stoop upon our commerce; if then we shall be threatened with a cloud of banners that folded wait to gather on our sky, and darken it with the storm of war; from the gulf shore to the banks of our mighty river, through the length and breadth of Mississippi, her sons will answer with defiance, and scornfully reply,

"Free be your banners flung, we're loth
Their silken folds should feed the moth."

Mr. Chairman, why have such repeated calls been made upon the South to rally to the rescue? When, where, or how, has she been laggard or deserter?

In 1776, the rights of man were violated in the outrages upon the northern Colonies, and the South united in a war for their defence. In 1812, the flag of our Union was insulted, our sailors' rights invaded; and though the interests infringed were mainly northern, war was declared, and the opposition to its vigorous prosecution came not from the South. We entered it for the common cause, and for the common cause we freely met its sacrifices. If, sir, we have not been the "war party in peace," neither have we been "the peace party in war," and I will leave the past to answer for the future.

If we have not sought the acquisition of provinces by conquest, neither have we desired to exclude from our Union such as, drawn by the magnet of free institutions, have peacefully sought for admission. From sire to son, has descended our federative creed; opposed to the idea of sectional conflict for private advantage, and favoring the wider expanse of our Union. If envy, and jealousy, and sectional strife, are eating like rust in the bonds our fathers expected to bind us, they come from causes which our southern atmosphere has never furnished. As we have shared in the toils, so we have gloried in the triumphs of our country. In our hearts, as in our history, are mingled the names of Concord and Camden, and Saratoga, and Lexington, and Plattsburg, and Chippewa, and Erie, and Moultrie, and New Orleans, and Yorktown, and Bunker Hill. Grouped together, they form a record of the triumphs of our cause, a monument of the common glory of our Union. What southern man would wish it less by one of the northern names of which it is composed. Or where is he who, gazing on the obelisk that rises from the ground made sacred by the blood of Warren, would feel his patriot's pride suppressed by local jealousy? Type of the men, the event, the purpose it commemorates, that column rises stern, even severe, in its simplicity; neither niche nor moulding for parasite or creeping thing to rest on; composed of material that defies the waves of time, and pointing like a finger to the source of noblest thought. Beacon of freedom, it guides the present generation to retrace the fountain of our years and stand beside its source; to contemplate the scene where Massachusetts and Virginia, as stronger brothers of the family, stood foremost to defend our common rights; and remembrance of the petty jarrings of to-day are buried in the nobler friendship of an earlier time.

Yes, sir, and when ignorance, led by fanatic hate, and armed by all uncharitableness, assails a domestic institution of the South, I try to forgive, for the sake of the righteous among the wicked—our natural allies, the Democracy of the North. Thus, sir, I leave to silent contempt the malign predic-

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tions of the member from Ohio, who spoke in the early stage of this discussion; whilst it pleases me to remember the manly and patriotic sentiments of the gentleman who sits near me, [Mr. McDowell,] and who represents another portion of that State. In him I recognise the feelings of our western brethren; his were the sentiments which accord with their acts in the past, and which, with a few ignoble exceptions, I doubt not they will emulate, if again the necessity should exist. Yes, sir,

if ever they hear the invader's foot has been pressed upon our soil, they will descend to the plain like an avalanche, rushing to bury the foe.

In conclusion, I will say, free from any forebodings of evil, above the influence of taunts, beyond the reach of treasonable threats, and confiding securely in the wisdom and patriotism of the Executive, I shrink from the assertion of no right, and will consent to no restrictions on the discretion of the treaty-making power of our Government.

