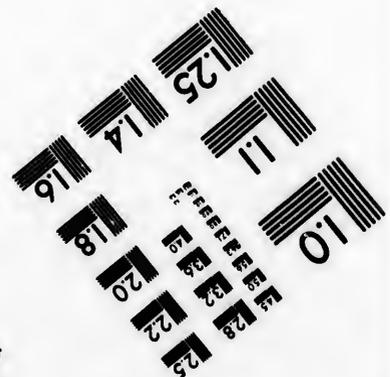
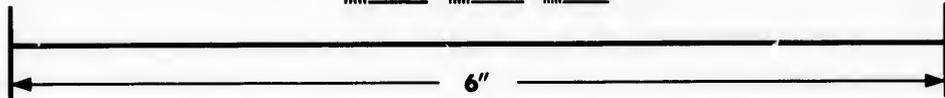
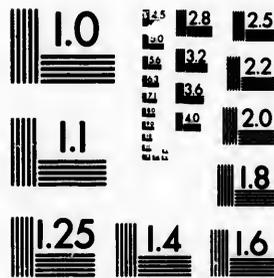


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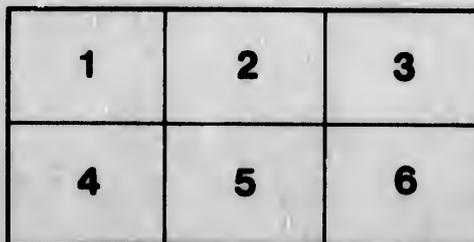
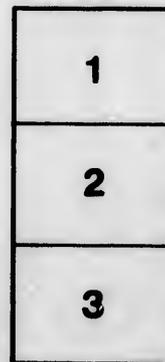
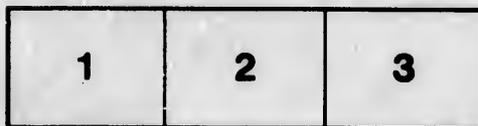
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SPEECH

OF

HON. A. H. SEVIER, OF ARKANSAS,

ON

THE OREGON QUESTION.

DELIVERED

IN THE SENATE OF THE UNITED STATES, WEDNESDAY, MARCH 25, 1846.

WASHINGTON:

PRINTED AT THE OFFICE OF BLAIR AND RIVES.

1846.

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THE OREGON QUESTION.

The Joint Resolution for giving the notice to terminate the convention between the United States and Great Britain, relative to the Oregon Territory, being under consideration—

Mr. SEVIER addressed the Senate as follows:

Mr. PRESIDENT: The President of the United States, in the discharge of a public duty to his country, gave us, at the commencement of the present session of Congress, a full and detailed statement of our relations with Great Britain, upon the subject of the Oregon territory; and he recommended Congress, in the conclusion of that statement, to annul and abrogate the conventions of 1818 and 1827, which are now in force, between the United States and Great Britain, and by the terms of which, certain privileges in that territory were conferred upon the respective citizens of the two countries. The President also recommended in his Message, in connection with this subject, other measures, of which I shall not now speak, as they are not now properly before the Senate.

Sir, this Message of the President, recommending the abrogation of those conventions, and a resolution offered by the Senator from Ohio, [Mr. ALLEN,] having in view the same object, were referred, at an early day, to the Committee on Foreign Relations. That committee acted promptly upon the subject, and reported the resolution now under consideration, as embodying the views which that committee deemed most proper for the sanction of the Senate.

This resolution, sir, is brief, clear, definite, comprehensive, and unencumbered with any extraneous

matter. It proposes only to do that which, without offence or explanation, we have the unquestioned right to do.

The chairman of the Committee on Foreign Relations, [Mr. ALLEN,] on the eighth of January, (a day, by-the-by, memorable in the annals of our country,) moved, in obedience to the instructions of his committee, to designate an early day for its consideration. That motion he made, but it did not succeed. But a day for that purpose, some weeks more remote, was fixed upon by the Senate. This postponement was made to gratify some Senators, who desired, before acting upon this subject, to hear from England. We were told that a packet about that time was expected, and that it was highly important to wait until it should arrive with its intelligence. Other Senators desired this postponement, because they thought it unwise for the Senate to act until the House of Representatives, which was then considering it, should have disposed of this question. And other Senators, residing convenient to this capital, desired this postponement, that they might be indulged in a visit to their homes, on business or pleasure. All these, constituting a majority of the Senate, were gratified, and accordingly the consideration of this resolution was deferred until the 10th of February. Before that day, sir, the House had disposed of this subject; the expected packet, with its intelligence, had arrived; the absentees had returned, and this resolution was then taken up; and from that day to this its consideration has engrossed nearly the whole of our time. And yet, sir, can any one tell,

however careful may have been his observations, what is to be its fate, and when it shall be disposed of?

Sir, in the interval between the report of this resolution and the day designated for its consideration, the Senator from Kentucky [Mr. CRITTENDEN] proposed a substitute, which has for its object the removal of the responsibility (whatever that may be) of giving this notice, from Congress, where it properly belongs, and to place that responsibility upon the shoulders of the Executive. From this responsibility, should it be transferred to him, the President will not shrink. Authorize him, in his discretion, to give this notice to Great Britain, and as certainly as the sun rises, on the day on which he is vested with such discretion, will this notice, before that sun sets, be given. This we all know. But is it right, is it consistent with the dignity and character of the Senate, to evade their just and proper responsibility, and confer it upon another department of the Government? How unlike is this to the chivalrous bearing of my friend from Virginia, [Mr. ARCHER,] who, the other day, expressed his unwillingness to vote for any measure which might lead to war, because, from his age and position, he was protected from its consequences. Is there not something timid and unmanly in such a proceeding? Something very unlike the brave and proud heart of old Kentucky—a State ever jealous of the division of the spoils when danger is the booty to be parcelled out? Should war grow out of this notice, as some suppose it will, is it proper that this power to make war should be, most unnecessarily, placed at the discretion of any Executive? I had thought there was a sort of Whig confessional, which was, that the Executive power of this country “was too great, was increasing, and ought to be diminished.” There certainly was a time, sir, when our friends over the way had not such unbounded confidence in Executive discretion; a time, sir, when we were told by a prominent leader of the party, that he would not confer such extraordinary power upon a Democratic President, if the enemy were at the gates of the Capitol. Why this sudden, this generous, unsolicited, unlooked-for confidence? It surely cannot be, that the Senator from Kentucky [Mr. CRITTENDEN] desires to place the President, upon this exciting question, in a position in which, whatever he may do, or omit to do, the opportunity will be afforded to factionists and slanderers for the gratification, to the full extent, of their unholy wishes. Though such are the inevitable consequences, in my judgment, of the exercise of this discretionary power on a question of such magnitude, yet I shall ever be the first, so far as he is concerned, to disclaim, on his behalf, any such unworthy design.

The Senator from Kentucky [Mr. CRITTENDEN] also proposes to limit, as to time, the discretionary power of the President on the giving of this notice. It is to be given, not before the close of the present session of Congress. And this limitation I think unwise. Whatever consequences shall grow out of the giving of this notice, I think it very proper that Congress should be here, in session, ready and willing to meet them. Unless on very great and unforeseen emergencies, I desire

never again to see another called session of Congress. The country, I think, for all the good they have done, are sufficiently satisfied with such experiments. And, after all, what good can we expect from a delay of ninety or a hundred days in the giving of this notice? Will the country be better prepared for it than now? I think not.

I object, also, to the “Preamble” of the Senator, as I do to the “forthwith,” in the Senator’s resolution. The “Preamble” of the Senator is mainly an historical narrative. It recites but facts well known to every body, and, therefore, for the purpose of information, is wholly unnecessary. Do we earnestly desire a speedy settlement of this Oregon controversy? Our acts, as well as our words, show it. It requires no preamble to satisfy any one of this. Preambles and forthwiths, Mr. President, have ever been my abomination. The first, I regard as a reflection upon my capacity, and the other, a restraint upon a gentleman’s liberty. What benefit can the Senator expect from his preamble? Is it intended as a gilded cover, or as sweetening to the physic, we are about to administer? Or is it designed as a piece of diplomacy, by which her Majesty’s Ministers are to be tickled, and good-humoredly coaxed into negotiation? Is it calculated that this preamble will produce this result? My opinion is, sir, that Great Britain will be more apt to look at the measure itself, its purposes and consequences, than to any garb, however fanciful, in which it may be clothed. That Power will negotiate with or without this preamble, unmindful of our anxiety, should she consider it her interest to do so, and not otherwise.

Sir, shortly after the Senator from Kentucky [Mr. CRITTENDEN] had favored the Senate with his proposition, the Senator from North Carolina [Mr. MANGUM] gave us notice of his intention to move two additional provisos to the resolution offered by the Senator from Kentucky. The first of these was, to submit the Oregon controversy to arbitration; and the other, to organize in Oregon a Territorial Government after a specified time, and upon certain enumerated conditions. But, on the 10th of February, the day on which this question was taken up, that Senator finding, I suppose, that a proposition to arbitrate this question had been offered by Great Britain, and that that offer had been rejected by the United States; and finding, also, I suppose, that in the House of Representatives, a separate bill to organize in Oregon a Territorial Government had been reported, he abandoned his intention of offering those provisos. Those propositions, therefore, not now being before the Senate, I have no remarks to make upon them.

Subsequently to this, the Senator from Georgia [Mr. COLBERT] proposed an amendment to the resolution offered by the Senator from Kentucky, of which I have spoken, and the Senator from Kentucky, in part, accepted and adopted it as his own. The proposition of the Senator from Kentucky, as modified at the instance of the Senator from Georgia, differs from the original in this: the original proposition of the Senator from Kentucky authorizes the President, in his discretion, to give or not give the notice after the close of the present session of Congress; that proposition, as now modified, proposes that Congress (and not the Pre

ident) shall give this notice, to take effect, absolutely, after Congress shall adjourn, unless the President, in his discretion, shall see fit to defer it. Now, sir, according to my reading, the difference in these resolutions, in the original and modified form, is not wide enough to pay for the ink and paper on which that difference is recorded. Either to give it, in the one case, or to defer it, in the other—to do the act, or to prevent it—are, to my mind, equally objectionable, as both rest upon the basis of Executive discretion, and therefore amenable to all the objections I have already urged relative to this discretionary power.

The proposition of the Senator from Georgia also proposes to "negotiate" and "compromise." If the President, under our Constitution, did not possess the power to negotiate upon all subjects, there might be some propriety to confer such power upon him; but as he possesses it, under the Constitution, and independent of us, I think nothing beneficial can result from inserting such an authority in this resolution. On the contrary, many evils may grow out of it. It may, by thus manifesting such anxiety to negotiate, defeat the very object it is designed to subserve. It may do more: it may form a dangerous precedent, and lead, in future, if not in this instance, to inroads upon the Constitution—an instrument which he and I are alike concerned in preserving in its beautiful form of simplicity and efficiency. Ever mindful of this, let us exercise only the powers the Constitution confers upon the Senate, and leave to the Executive those which properly belong to him.

The Senator also proposes to *compromise*. To compromise what? The disputed territory. And what is that? In the British vocabulary, it means that territory which lies between the Columbia river and the 49th parallel of latitude. We have been offering for years to settle this boundary by that parallel; and Great Britain, on her part, has been offering to settle it by the Columbia river, giving us all south, and she retaining all north, and the river to be common to both nations. Is it to divide this country, lying between the Columbia and the 49th parallel, that the word "compromise" is inserted? The Senator from Georgia does not mean this, for he has told me he does not. He means to include in his compromise all the country to which either party set up claims on the Northwest coast of America—all included between the parallels of 42° and 54° 40'. This is what he means. But will that meaning be put upon it by the British Government? Will even our President so construe it? The President has told us that, acting on the principles of "compromise," and in deference to the acts of his predecessors, he has been unable to settle this dispute, on such terms as the United States ought to accept. This is the information he gives us. He tells us explicitly the offer he made, and of its rejection. We are informed, in one of the protocols, that the British Minister is not authorized even to discuss our title to the country on that coast, north of 49°. He tells us, his Government would not accept of the 49th parallel as the dividing line; and insists upon the Columbia as the boundary. All these things are in the President's Message and the documents which accompany it. This

Message is now upon our tables; it has been carried to, and read, in every quarter of America; it has been widely circulated and freely commented upon in every part of Europe; and yet the Senator proposes to direct the President to "compromise" this question. And how? By taking less than 49°? No, sir, he is not for that. He sees, by the Message, that the President has been unable to get 49°: can he get it now? I have seen nothing to authorize such a conclusion. Upon what evidence is that opinion founded—if, indeed, the Senator entertains that opinion? I should like to know it. Not being able to get 49°, upon what terms, then, is he to "compromise?" The resolution fails to indicate the terms upon which this compromise is to be made. Would it not be well for the President to be informed of the terms on which he is to compromise? and of the terms which would be satisfactory to the Senate? Sir, the President tells the Senator, in his Message, that he is unable to compromise this question on terms which the United States ought to accept. He tells them, in substance, that he cannot compromise this question on terms other than those dishonorable to the nation. And will the Senator from Georgia agree to compromise this question on any such terms? It would be a libel on his life to say so. And yet, from a fair construction of all we have before us, could the President, or would the British Government, put any other construction upon this resolution, than that other terms, more favorable to Great Britain, and more pernicious to the interests of the United States, are to be offered? Terms which must be, if more favorable than those already offered, in the judgment of the President—and in that judgment I concur—disgraceful to the United States? I think no other conclusion could or would be put upon this resolution. I cannot vote for it, or for any resolution, under the circumstances, which has the word "*compromise*" in it.

Sir, I am not sure but that a majority of the people of the United States would rather fight Great Britain to-morrow, than yield up to her *any part of Oregon, south of 54° 40'*. I am not sure, but that a majority of the people of the United States are now ready to *assert the title of the United States* to the whole of Oregon, believing, as that majority do, that the title of their country to the whole of it is unquestionable; and with this assertion of their title, I am not sure but that this majority are not now ready, upon the slightest intimation from those who have control of our public affairs, to maintain it at all hazards.

Sir, the people of the United States love their country. They love it because it is their country. They love it, for its institutions, its fame, its prosperity, its inevitable destiny, and, not the less, for the immensity of space what that country covers. Sir, in the affairs of this country, these people bear with impatience any interference of any foreign Power, and particularly if that interference wears the slightest encroachment upon their territorial rights. With still less patience do they bear such interference, if led to believe it is prompted by a desire, on an unfounded claim, to seek a position at a vulnerable point of their country, from which it is designed to annoy the country in future. And

with still less patience, if such interference, on such a claim, with such objects, comes from England, the rival of this country in everything—a Power with which they have had two wars, and many subsequent irritating disputes; all of which are well remembered, and yet green in their memories. These people, with these impressions, are now looking and reading about Oregon, and are quietly and firmly forming their resolves upon the subject. 54° 40' are chalked upon doors and windows, and upon walls, pillar and post, everywhere—54° 40' are words, which are making their way into rhyme or metre—and before the summer is over, 54° 40' are appellations which will be given to favorite objects, and by many, bestowed as names, upon their children. The signs of the times are ominous, and are fast thickening around us; and let those who can read, read and understand them. These people are in no temper for unjust concessions, in the form of compromises.

Is there, sir, a man in America, of any party or of any sect, that would not sooner fight Great Britain to-morrow, than yield up any part of Oregon, south of 49°? In support of our title, up to that line, and for everything south of it, we should find even our Quaker friends in uniform, with arms in their hands, crying aloud, in the high-ways and by-ways, "To your tents, O Israel!"

Sir, quite recently, we had, upon the subject of this notice, a proposition from the Senator from Maryland, [Mr. JOHNSON,] which I believe has not been printed, and of which, therefore, I shall have to speak from memory. If I caught its meaning correctly, when read by our Secretary, this proposition is intended to restore the original proposition of the Senator from Kentucky, with the slight modification of striking from it the words, "the end of the present session of Congress," at which time the President, in his discretion, is to give the notice; and to insert, in lieu of the words stricken out, "the first of June." If I be right in supposing that this is a verbal alteration, I have nothing to say upon a point which, to my mind, is so entirely immaterial. For the same reason, I shall pass over, without observation, the proposition of the Senator from Illinois, [Mr. BREESE,] which, at best, is only designed to correct a verbal omission.

Thus far, sir, I have attempted to detail the proceedings of the Senate, in their preliminary efforts, upon the question of notice; and, that my narrative may be complete, it becomes necessary for me to detain the Senate, on this branch of the inquiry, for a moment longer.

In the House of Representatives, after full debate, long deliberation, and, I will add, able and searching investigation, this measure of notice, to annul the conventions of 1818 and 1827, has passed, and has been sent to the Senate for its concurrence. The first resolution of the House is essentially the same as that reported by the Committee on Foreign Relations of the Senate. In substance, these two resolutions are identical; and whilst I prefer the resolution of the Senate, on account of what I regard as the better phrasology, I am yet willing to save time, and, out of deference to the action of the House, to give up

my preference for the one, and vote for the other. To this first resolution of the House there is another, disclaiming all intention to interfere with negotiations. This latter resolution I dislike, and think it entirely out of place; and yet I am willing to let it stand, if any gentleman desires it.

Sir, I am not trained in the language of eulogy; compliments from me are rare and generally restricted, and on that account, and on that account only, should be appreciated. I cannot forbear, on this occasion, however much as it may seem to be out of my element, to say to that House, that, in passing this notice, you have faithfully responded to the Message of your President; you have faithfully reflected the opinions and wishes of your constituents; and, what is better than either, in the fear of the timid, and amid the terrifying cries of war, you have manfully sustained and upheld the interest and honor of your country. And God grant that this Senate may have the wisdom and the courage to imitate your example.

Sir, shall we pass this notice? Shall the President be sustained by us in his recommendation, as he has been by the House of Representatives? Shall the people of these States be gratified in this particular? Shall we pass the notice and nothing more, or shall we have a sort of half and half qualified affair? Or shall we, after all our parade—after exciting hopes at home, and attracting the attention of all Europe, whose eyes are yet upon us—quietly adjourn and go home, and do nothing, leaving this Oregon question, where it has been for about thirty years, an unsettled matter of constant irritation, beneficial only to Great Britain, and daily becoming more and more difficult of settlement, by our unwise delays? These are questions well worthy the grave answer of an American Senate.

Sir, some Senators are opposed to this notice in any form, and have kindly favored the Senate with their reasons for their opposition. They are against it, because they think it unnecessary for the purposes of negotiation; and if wanted for any other purpose than negotiation, they are unwilling to give it. The President informs us, in the progress of his negotiation, he finds this convention, for the abrogation of which this notice is intended, an impediment in his way, and desires Congress to remove it. He has told us what he has done, and, this convention out of his way, what he hopes yet to be able to do. We all know that so long as this convention continues in force, Great Britain can have no motive for settling this dispute. By the terms of this convention she has, practically, the possession of the whole of Oregon. She can never get more, and by any negotiation she must lose something; and knowing this, what inducement can she have for a settlement of this question? What has been her past policy upon this subject? Whenever this question has been up before Congress and pressed for a decision, she immediately begins to talk of negotiation; and upon this being intimated to us, we, credulous and confiding souls, stop our proceedings, and wait for negotiation. But, sir, so soon as we cease to talk about Oregon, Great Britain ceases to negotiate; and this is the game we have had played upon us for several years.

Lord Ashburton was authorized to negotiate upon this question, and yet he evaded it—said nothing about it. And now, sir, when we are pressing the settlement of this question, for the third or fourth time in Congress, we are told, as usual, to wait a little longer, and leave it to be adjusted by negotiation. How long, sir, is our patience to be abused? How long, sir, are we to be trifled with by such insincerity, by such hypocritical professions? Is this question never to be settled? It will never be settled, until Great Britain shall be induced to believe that it is our intention to change the state of this question, and that we are, at last, resolved to have it settled in some way. Let us nullify this convention; let us restore ourselves to the possession of the valley of the Columbia river, as we had it in 1818; let us plant our citizens there, make them freeholders there, and extend to them the benefits of our laws, and secure the friendship of the natives by just and liberal treaties; and last, though not least, let us defend and protect them, by the power and force of our army and navy. This protection, every citizen of this Republic, however humble, or however remote from this capital, has a right to claim at the hands of this Government; and that protection, I hope, he will never invoke in vain. Let these things be done, and then, sir, if Great Britain desires to negotiate for the country north of the valley, we will think of it. All of these things we can lawfully do when this convention is abrogated, and it may be doubted if we can do them before.

The President doubtless thinks that this step will facilitate (and probably by negotiation) the settlement of this question. But should he be mistaken in this, he then tells us that it is our duty to assert our rights, and prepare manfully to maintain them. But the assertion of our rights, and above all, the preparation manfully to defend them, are the very things which these gentlemen don't want to do.

If these gentlemen can get Oregon, the whole or a part of it, peaceably and without a fight, they, in their generosity, are now willing to accept it. Time was, sir, when some of those gentlemen were unwilling to have Oregon, on any terms, peaceably and without a fight. Their speeches and their votes in 1840, 1841, 1842, 1843, and in 1844, will throw a flood of light upon their past policy in relation to this subject. And I invite Senators, on some rainy day, when they can't go out, and have nothing else to do, to look over those speeches and those votes. These Senators then thought that on some lofty peak of the Stony mountains, and fronting the East, the god Terminus, of this Republic, should be placed, and that all west, or behind him, should be given up to others. They then thought our territorial possessions were already too widely extended for the harmony and safety of the American Union, or for the improvement of our people or their country in mind or morals, wealth, resources, or comforts. They told us, on those occasions, something respecting the effects of the loss of population and capital upon the value of lands and property in the good old "Thirteen;" and of the ruinous effects upon workshops and manufactures by the destruction of competition, and the enhancement

of the value of labor, resulting from this process of emigration. We were favored with touching predictions as to the fate of the poor Indians, now quiet and happy in the still and gloomy forests of Oregon, undisturbed in their wigwams and hunting grounds by the woodman's axe, or startled by the sound of an American rifle. Oregon they described as being poorer than the mountains dividing Canada from Maine, which, on another occasion, were said to be too poor to furnish subsistence even for Juvenal's lizard. It was described as a country entirely unfit for cultivation, and fit only for a grand hunting ground, or a place most suitable for a sour, bilious, ill-natured Englishman to blow out his brains in. They then told us—and so far as British periodicals and British magazines could prove anything, they proved it, too—that England did not want Oregon for colonization, or for any other purpose than a hunting ground; and that as soon as the game in it was destroyed, it would be voluntarily abandoned; that New Zealand and New Holland, and other vacant fields, within her control, were far more eligible for colonization. Sir, they were eloquent upon all these interesting themes. But now, sir, most happily for us, in this day of this great Republic, we hear nothing of those old objections against Oregon. Those objections are allowed to sleep quietly with the things that were, and we never shall hear of them again, until California and all Mexico shall knock at our door for admission. They will then reappear, in the shape of new additions, and be again, for our edification, rehearsed in this chamber.

Texas, sir, Texas has settled and exploded, for the present, all those old-fashioned, but beautiful theories. Texas has done Oregon this much good, if she never does any other. These gentlemen are now willing to accept of Oregon, or a part of Oregon, provided it can be had by negotiation and without a fight. But they tell us, and at the same time Great Britain, with commendable frankness and candor, that they will not fight for Oregon. Oh, no, sir; not for the world. Fighting, they think, a terrible business. They tell us a war with Great Britain would ruin our commerce, and cut off our comforts and supplies; that it would stop our improvements in steam and in thunder and lightning; and that, to carry it on successfully, it would require seven armies and two navies; it would revive the paper currency, of which we have just got clear, and, at the end of ten years, (the period this war is to last,) leave us five hundred millions in debt. Nor is this all; we are to have upon our hands, at the same time, they tell us, a war with Mexico and our Indian tribes, with the opinions of all Europe against us; and, at the end of it, a civil war, conducted by rival generals; and that one of them, in the subjugation of the others is to succeed in overthrowing the liberties of the country, by trampling our Constitution under his feet, and seating himself in our Executive mansion, "every inch a king." And when, and under what circumstances, Mr. President, is this gloomy prediction promulgated? In the chamber of the Senate, in open day, before the world, in the presence of our adversary, and in the face of the picture of the Father of his Country, which hangs

over you; and that, too, pending our controversy with Great Britain about the Oregon territory. Strong reasons, indeed, are these, my countrymen, to induce Great Britain to negotiate. Nor are these the only ones with which we have been favored in the furtherance of negotiation. With a sort, of mock gravity, they remind Mr. Pakenham, the British Minister, that Great Britain, like the United States, is a religious nation; they tell him it is a breach of one of the holy commandments to covet thy neighbor's goods or lands, and that it is a sin to steal either; and therefore, for the salvation of his soul, for the love of God, and out of mercy to this country, which cannot, under any circumstances, fight Great Britain, they beg of him to think of these things, and *negotiate*. They remind Mr. Pakenham that we are of the English stock, and that, unlike many of our countrymen who are abroad for six months, we have not forgotten, but still, on ordinary occasions, at least, speak the English language; Great Britain is our dearly-beloved grandmother: and, oh, what a crying shame, Mr. Pakenham, for you to insist upon robbing your grand children of their blessed patrimony; but still, remember, Mr. Pakenham, if nothing else will do—if you are inexorable upon the subject of Oregon—if robbing is your determination—why, in the name of your flag, the bloody cross of St. George, take it, for we will not fight you for it.

Sir, these honorable Senators will not vote for this notice, because, for the reasons I have noticed, they think it unnecessary for the purpose of negotiation, and aside from that purpose, it looks too warlike, and smells too strongly of gunpowder, for their approbation.

Sir, we were placed in the possession of the valley of the Columbia by Great Britain in 1818, and a few days after, lost the *exclusive* possession of that valley by negotiation: we think it necessary to annul this convention to regain that exclusive possession. To this possession we shall be entitled, whenever this convention shall be removed out of our way. But, the Senator from Maine [Mr. EVANS] inquires, if Great Britain will, after the abrogation of this convention, give us that possession? In other words, will Great Britain keep her faith and comply with her engagement? He thinks she will not; and it may be, sir, that she will not; and if she will not, the sooner we know it the better. A bond, we know, that will never be paid, is wisely disposed of when flung into the fire. But time, sir, which operates upon everything, will give us light upon this subject.

Sir, the Senator from Massachusetts, [Mr. WEBSTER,] and the Senator from South Carolina, [Mr. CALHOUN,] were but recently our Secretaries in our State Department. In that position it was their duty to investigate and understand this Oregon question. Both of these gentlemen have mind enough to investigate and understand any question. Both are presumed to be, and doubtless are, familiar with it, in all its bearings. And yet, in this chamber as Senators, accustomed as they are to take the lead upon all great questions of public policy, they publicly declined to discuss our title to Oregon. The Senator from Massachusetts has told us, in his usually emphatic manner, that he would rather have his tongue blistered, than to discuss this title

pending this controversy; and the Senator from South Carolina [Mr. CALHOUN] declines to discuss our title, because he deems it indelicate in reference to his position. King Richard, I think it was, sir, told his minister, his cousin of Buckingham, not to say it, but strongly to infer the bastardy of Edward's children.

These Senators, sir, decline the discussion of our title to Oregon, not for the reason assigned by the Senator from Ohio, [Mr. ALLEN,] that the time for such service had passed, nor that it was premature or inappropriate to the subject-matter of our deliberations. However laudable may be the motives for their silence, however satisfactory to them, yet it strikes me that their silence upon this branch of our inquiry has thrown more doubts upon our title to Oregon, than all that has been said or written against that title, on this or the other side of the Atlantic. The manner of declining this discussion, by Senators of their high and commanding talents, and but recently so intimately connected with it officially, has done more to undermine, overthrow, and destroy our title to this country, and to bolster up, strengthen, and sustain the extravagant pretensions of Great Britain to it, than anything, with that view, I have heard in this Chamber, or read of elsewhere. It is not for me, sir, to indicate the course of duty to those Senators; they will judge of that for themselves. But, still, I will say, that it strikes me, from the great confidence the public have in their opinions, from their late prominent and present responsible connexion with this subject, that they owe it to the country, as well as to themselves, to speak out, and tell us whether our title to the whole of Oregon, or only to a part of it, or to any part of it, is ill-founded. The American people will thank you, Senators, for your revelations upon this question. The American people are just and generous, and no music on earth is as acceptable to them as that of *truth*, uttered in the spirit of frankness and candor. This truth, and the whole of it, whatever it may be, they had the right to expect from their distinguished Senators. They detest mystery and concealment upon great questions of public policy. They want nothing but their own. Convince them that their claim to Oregon, or any part of it, is ill-founded, and they will be the first, like honest men, promptly, instantly, in the face of the world, and after all that has occurred, to give it up to Great Britain, and even to apologize, upon such conviction, to that Power, for having unwittingly given her so much trouble about it. These Senators owe it to the country, to quiet the public mind upon this exciting question, by enlightening that public mind, by upsetting (not their own, for that, indeed, would be indelicate) the arguments in support of our title to Oregon, which have been urged with so much force by our present able and distinguished Secretary of State, and by others who have preceded or followed him in this achievement. In the event of a collision with Great Britain, upon the subject of Oregon, which I have thought, and still think, not unlikely, is it not something, Senators, to have a quiet conscience, and to feel that our quarrel is just? I think so.

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49^o, and adds in one of his able State papers, that the United States have a claim to the balance of Oregon which lies north of that parallel. And what kind of claim is this which lies north of 49^o? What does he think of it? In defending his policy of "masterly inactivity," he justified that policy on the ground that by it, in a few years, we should obtain the whole of Oregon. Did he want, "by inactivity," the whole of Oregon, if we had no title to it? I should think not; and if he did, upon such principles as these, I did not and do not. "Give unto Cæsar th' things that are Cæsar's" I have ever considered, if not a wise, at least an honest motto.

But, sir, those Senators who at one time were against notice in any form, are now willing to go for a modified notice—a notice coupled with directions to the President to settle this matter by negotiation, on the principles of compromise. They justify themselves for this advance movement, slight as it is, on the ground that things have changed, and now wear a more placid aspect. Sir, anxiously hoping, and, I may add, anxiously looking for such change, I must say I have not seen any change, but in the Senators themselves. According to my vision, things are now as they were at the beginning of this session. Has anything arrived from England since the Cambria sailed? And who that was here can have forgotten the occurrences in the Senate on the Thursday preceding the sailing of that vessel? The Senate, sir, on that memorable day, was in a fearful panic. On that occasion we had a sort of Senatorial "stampede." It was contagious. I became myself most terribly frightened. I thought quickly. A thousand things came into my mind in a moment. I thought of Bladensburg—of Tenneleytown—of our Capitol in flames—that the British were upon us indeed, and was very nearly taking to my heels. But, sir, I looked over my shoulder, and saw the Senator from Missouri, of whom it may be said, as it was of Cæsar, "he is the twin brother of danger—and of the two, the elder and more terrible,"—I saw him reading his documents, quiet and calm as a summer's morn, and concluded to stand by him—and did so, and voted with him for an adjournment, to prevent the vote upon the resolution, which it was the object of some Senators to take, with the view of sending it out by the Cambria as a peace-offering to England. Our adjournment, sir, prevented this vote. Since that day I have seen a change, not in the question, but from childlike terrors to manly soberness and firmness. True, sir, we had one little panic since, and that occurred yesterday. This panic was produced by the President's message, in reply to one of our own resolutions, upon a subject which we had had before us for months, and on which the Senate had partially acted. This, however, was but a small affair, and did not frighten us very long.

Sir, if some Senators have been silent upon the subject of our title to Oregon, others have not. They have discussed this title, and have taken ground against it, with an ability and zeal unequalled by anything I have yet seen emanating from the pen of the British Minister, ably as he has controverted our claim. They make but short work of the discoveries of Gray; they pass quite

lightly over the exploration of Lewis and Clarke, and almost ridicule our Spanish title; they, indeed, seem to think that we have a sort of a claim, arising from our treaty of 1803 with the French Republic, which takes us to the mountains, and then to the Pacific, on the principle of *contiguity*. They tell us that the Nootka convention conferred no rights upon Great Britain, and that that convention only acknowledged rights previously existing. And what are these? To fish on the coast, to trade with the natives, and make settlements, interfering with no other—in a country which had been discovered and claimed by Spain for centuries before. These are the rights, they tell us, not obtained, but acknowledged to exist, by the Nootka convention. Has Great Britain, in a similar case, ever acknowledged such rights to exist against her claims and her discoveries? Never, never, sir! Has Great Britain ever claimed, or attempted to exercise, such a claim as this upon the United States? I think not. We own an extensive country, stretching from Canada to the Rocky mountains. We own an extensive country, some five or six hundred miles wide, between the western limits of our States and those mountains, inhabited only by Indians, and in which there are lakes and rivers, and fish and game, and places for settlement, that would interfere with no settlements of civilized man, and yet, in any part of this country, for any purpose whatever, we have never allowed the foot of an Englishman to make a track. Nor has any Englishman ever yet claimed, or had the insolence ever to dream that he had the right to claim, the privilege of trading, or fishing, or settling, for such purposes, anywhere within our limits. I doubt, sir, if England ever claimed, or enforced such a claim, upon any other Power than Spain, or upon one as feeble and as unable as she was, to defend her rights. Confident do I feel, sir, that no such claim as this would ever have been preferred by Great Britain in the better days of the Spanish Monarchy—in the days of Ferdinand, or Charles, or Philip. But, sir, it is not my purpose to go into a discussion of our title to Oregon. That labor I have attempted on a former occasion; and if I had not, I would not, by my efforts, weaken the unanswerable arguments of those who have preceded me in this debate. I would not, after the able statements of our case by our late and present Secretary of State. I am willing to rest our title upon these statements of that title.

But, sir, under the treaty of 1818, which it is the object of this notice to abrogate, and which was afterwards extended for an indefinite period by the treaty of 1827, I admit that Great Britain has rights in Oregon. She has the rights, in the first place, which that treaty confers. Rights so long held and enjoyed have assumed, in some instances to some extent, the character of permanent ones. These rights have assumed this complexion, (from whatever cause, it may now be needless to inquire,) growing out of the laches, or neglect, of Spain, in the first instance, and since by the United States. The subjects of Great Britain—the servants of the Hudson's Bay Company—have been permitted, without interruption, to occupy the valleys of Frazer's river for about forty years. Those people in that valley have a sort of squatter's title, origi-

nating in trespasses, and still without law; yet I would respect that title, which, in the new States, is understood to mean something. In that valley they are out of our way, and while there, can never be in our way. They are beyond 49°. I am willing, sir, out of a spirit of generosity, (for I should so regard such concession,) and for the sake of peace and a speedy settlement of this difficulty, that the President may provide for these people upon the principles of equity and justice, and deal liberally towards them, and give them the fullest justice. How he shall do this I shall not stop to inquire. When he shall act upon this subject, I will see what he has done, and approve of it if I can. I will not stop to inquire whether this shall be done by a cession of that country to Great Britain, or by paying these people for their patches and shanties, as we have done to the Pottawatomies, the Wyandots, and other savages, or by granting them reservations and citizenship; where, however hopeless the task, we may have the opportunity to try and do something for them. I leave all these things to the better judgment of the President, which I shall approve or not when his act in this respect shall be laid before me. And in doing this, sir, I do not find it necessary to disparage our title to Oregon. We can do this, and at the same time believe that our title to the whole of Oregon is unquestionable. We gave up, without complaint, a part of this very country to Russia. We gave up, more recently, a part of the State of Maine to Great Britain, and for that surrender of a part of Maine, in company with all New England, in a treaty made by a New England Secretary of State, I voted. Yes, sir, I am one of the sinners that did that deed, and for giving that vote I have never yet felt a blush upon my cheek or a thorn in my pillow. This treaty was made by the assent of the commissioners of the States of Maine and Massachusetts, and we paid in money to Maine and Massachusetts what they deemed a fair equivalent for the ceded territory.

The Florida treaty was a treaty of acquisition and "mutilation." Whilst we acquired Florida, and the Spanish title to the northwest coast of America, we ceded, by this treaty, to Spain, a part of our territory lying south of Red river. I will not go into the extent of this cession, further than to say, that a part of it included a county and a half belonging to Arkansas: I mean, sir, the county of Miller, and half of the county of Lafayette. Sir, this county and a half embraced as much territory as some of the New England States. These counties, under another name, originally constituting a part of Missouri, and subsequently forming a part of Arkansas, were settled at an early day by native-born citizens of the United States. They were organized counties, in which we had our courts of justice, from the citizens of which we collected taxes, and from which we had representatives in our Legislature. These counties, without the knowledge of Arkansas, and without the knowledge of those living in them, were ceded away to his Majesty the King of Spain, without even the decency of a guaranty in their behalf of the right of property and the liberty of conscience. Before, however, the boundary line cutting them off from their native land was run, and the country formally de-

livered over to Spain, the revolution in Mexico broke out, and Spain was expelled by the success of that rebellion from all of their possessions on this continent, except the strip of country lying between the Sabine and Red river, into which a Mexican soldier never marched, and of course never conquered. During the pendency of this revolution, our citizens, in the counties of Miller and Lafayette held on to us, and we to them, continuing our courts, collecting taxes, enumerating them on our census, and extending to them the right of suffrage, and allowing the right of representation in our Legislature. Thus they remained, when in 1830 or 1831, I moved a resolution in the House of Representatives, requesting the Executive to *repurchase* of Spain this detached remainder of her once extensive possessions in North America. My resolution was debated in the House of Representatives, and voted down; and this strip of country, which, by the Florida treaty, we had transferred to Spain, and which Mexico never conquered or invaded, was, by this Government, unnecessarily transferred to Mexico. At that time, sir, it could have been had of Spain for the asking; perhaps for six shillings and ninepence. Well, sir, we still held on to our counties, and they adhered to us. No line was run and no delivery made, until Mexico and Texas got into their troubles. In that contest, neither a soldier of Texas or Mexico ever entered the country north of the Sabine. But in 1837, we acknowledged the independence of Texas, and afterwards, in 1839, this line, designated by the Florida treaty, was run, for the first time, and those people then formally delivered over to a foreign Power. Here is a case, a strong case, of a mutilation of our territory. And yet there is another. The western boundary of Arkansas was established, I think, in 1824. That boundary commenced forty miles west of the southwest corner of the State of Missouri, and ran due south to Red river. This line was run immediately afterwards, and it formed the western boundary of all of our western counties, of which there were four or five. In 1828, without the knowledge of Arkansas, and in despite of my strenuous efforts to prevent it, a treaty was made, by which a country constituting the finest part of Arkansas, forty miles wide, and about three hundred miles long, organized into counties, in which we had courts of justice, tax collectors, the right of suffrage and representation in our Legislature, was ceded away: and to whom do you suppose, Mr. President? To Indians—to the Cherokees and Choctaws; and that, too, without the decency ordinarily extended to Indians, of paying these people for their improvements, from which, it was stipulated, they were to be expelled for the benefit of the Indians. Against the ratification of this treaty there was the voice of the Senator from Missouri, [Mr. BENTON,] and a few others, only; all the others, with a full knowledge of all the facts, (for I myself had taken the trouble to lay the facts before the Senate,) voted for the ratification of this treaty. And yet, sir, the people of Arkansas, who were once poetically described by an eloquent Senator from Massachusetts, [Mr. CROATE,] as being the children of the sun, and partaking largely of the warmth of his fires, sub-

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mitted, without rebellion or an attempt at revolution, to those high-handed acts of injustice. True, sir, they complained, for they felt this wrong most deeply.

I mention these things only to show, that this Senate, in the adjustment of boundary lines, have, in more instances than one, ceded away a part of the well-known and acknowledged limits of the United States: never, however, lightly or without reluctance. I mention the instances of our cessions to Russia, to Great Britain, to Spain, and, lastly, to the Indians, as precedents, which the United States, if they choose, can follow on the adjustment of this Oregon question, should it be considered wise, under all the circumstances, so to adjust it. And I mention these things for another purpose, which is, to show that, if such are the views of any Senator, it may be done, without the unnecessary and fruitless labor of endeavoring to disengage our title to any part of Oregon.

But still, sir, honorable Senators will not vote for this notice, because it may lead to war. And so it may. Not necessarily, for we have the treaty-right to give this notice. But, sir, I have thought for sometime that this Oregon difficulty was likely to bring a war upon the country. I am no panic-maker, for I despise them. I have based this conclusion upon the knowledge of my countrymen on the one hand, and on a careful perusal of all the documents upon this subject, on the other. The public mind in this country is too intent and earnest upon the settlement of this question for longer delay; and, from all that I can see, the two Governments appear to be as widely apart from a settlement as ever. We have offered, in the spirit of compromise, 49° to Great Britain, and it has been refused by the British Minister, without even referring that offer to his country for consideration. Great Britain has not authorized her Minister even to discuss our title to the country north of 49°. Great Britain, through her Minister, has offered to settle this controversy by the Columbia river, as the boundary. That river, as a boundary, he tells us is *indispensable* to Great Britain, and that the navigation by Great Britain of that river, which, by the by, in its present condition is not navigable but for a short distance, cannot be given up. From all that I can discover, the parties stand firmly and stubbornly planted upon their respective propositions,—no symptoms of concession on the part of either,—our Government, claiming all, but offering 49°; and Great Britain refusing even to discuss the title to the country north of 49°, and insisting upon the river for the boundary, and its free navigation, in common with the United States. What is to be the result? Both countries excited about it, and that excitement daily increasing. If the peace of the two countries is to be preserved, these are no times for dilatory pleas or frivolous delays. If the peace of the two countries is to be preserved, action, prompt action, I regard as everything. This question must be settled now, before the summer elections are over, or it may assume a form which will place it beyond the power of either Government to settle peaceably. Let this notice be given.

But Senators hesitate—they cannot vote for it, because it may lead to war! They stop, as I shall

not, to inquire into the value of Oregon. They ask us if Oregon be worth a war. War does not always originate in the standard-value of the thing in dispute. Wars, sometimes the most bloody and disastrous, originate in trifling causes. Our fathers fought rather than pay unjustly a few cents a pound upon tea; they fought, for the unjust impressment of a few of their seamen. They considered these things, though small in themselves, as involving great and important principles, and hence they fought. In that war they risked and suffered a great deal. They went in debt in carrying on those contests, but have since paid that debt entirely. They issued paper money, but have since restored the constitutional currency. These things they did, for causes less valuable than Oregon. Are we, Senators, the legitimate descendants of those fathers? Have their examples of devotion to country, of courage, energy, suffering, of self-denial, hunger, thirst, and exposure, ceased to influence our judgment, or to animate our hearts? But, by a war, we shall lose Oregon—it will be lost sight of in the contest! It may be so; it may be that Great Britain is too powerful for the United States, and that by a war we shall lose Oregon. But I do not believe it; notwithstanding, in this connexion, we have been reminded of England's thousand ships of war, of her 40,000 sailors, and of her numerous battalions, which are said to be better disciplined and more efficient than any other troops the world ever saw. All these things may be so; yet they have no terrors for this country. As Prince Henry said of Percy: I give thee, England, "all the odds of thy great name and estimation," and yet we fear thee not; but, on the contrary, view thee as a Power, if need be, the more worthy of the manly energies, courage, and arms of this young Republic. Oregon to be lost by a war! Sir, in ninety days we are capable, in a contest like this, where the hearts of the people are with us, to raise an army as numerous, though not so well disciplined, equally as efficient, as that led by the Great Emperor into Moscow—for, in this country, arms constitute a part of every gentleman's wardrobe, and guns are the playthings of our children. Yet, after all, upon our own soil, and in so just a cause, we may be vanquished. If we are, I trust that, like the gallant Francis, when he lost Pavia, after doing all he could to prevent it, we shall have at the end of this contest the consolation to feel that we have, at least, preserved our honor. But, sir, however honorably it may terminate to the interest or fame of this country, I want no war, if it can be avoided on honorable terms. War, to say the least of it, is an inconvenience, and particularly so at this time to the United States.

But rather than settle the Oregon difficulty on any other than honorable terms, that inconvenience this country will readily encounter. This notice will not make this war—it may prevent it. Let it be passed, and confide this difficulty to the President. Is he not worthy of our confidence? Is he capable of deceiving us, or at all disposed to involve this country in an unjust war?

Sir, I am no flatterer of the President; I hope, without such imputation, I may be permitted to say, that, confiding in his political opinions and

ability, and firmness and honesty, I voted to place him in his present elevated position. I have not yet had occasion to regret that vote, and have no reason to believe I ever shall. We have all known him for years; and during a period of great political excitement in the country, we have seen him filling high and responsible stations, and discharging all the duties pertaining to them with unsurpassed fidelity and eminent ability. He possesses, as all will concede, great purity of private character, fine talents, and unquestioned patriotism. He, sir, is no military chieftain, panting for battle-fields and military renown. He is an exemplary Christian, advanced in years, and without children on whom to bestow office or emoluments, or his fame. He is no adventurer, having nothing to lose; but, on the contrary, is a gentleman of fortune, and holds a heavy interest dependent and resting upon the blessings of peace. He is now safely seated in the highest office in the gift of his countrymen, if not in the world; one-fourth of the period of its tenure already expired, and is no candidate for reelection. What possible inducement can such a man have to sacrifice the best interest of his country, or to involve that country, to which he owes everything, in an unjust war? Have we no security for this, in his long past life of sagacity, virtue, and fidelity? None in his able and patriotic Cabinet? None in the limited tenure of his office? None in the appropriation bills, by which armies and navies are raised, armed, and fed? None in the revisory power of a stern, vigilant, unquailing Senate?

Is there no security in the terrors of the impeaching power? None in the uniform, and beautiful, and fascinating examples of all of his predecessors? Sir, has the interest of this country ever been betrayed to a foreign Power, or an unjust war brought upon it, by any of our Executives? Never, sir, never. All of our Executives, no matter to what party they may have belonged, have extended widely and more widely the just fame of this country. And yet, sir, we find Senators, with a full knowledge of all these things, doubting and hesitating about passing this notice, because they fear that the President, by his rashness, or folly, or wickedness, may involve the country in war. Such fears and such suspicions as these are unworthy of us, and unjust to that distinguished functionary. They cannot trust him, because, in his Inaugural Address, he stated, what he believed, that all of Oregon was ours. He did make that statement, and he believed it. And yet, sir, in a spirit of compromise, and in deference to the acts of his predecessors, he yielded up his own opinions, and offered to settle this boundary on the 49th parallel. But, oh, the Baltimore convention! He is bound by the edicts of that convention! Sir, I was a member of that convention, and claim to know something of "the open day and midnight transactions" of that assemblage; but of them I shall not speak. It can now do no good to the Democratic party to revive a discussion of our family difficulties, which are now happily forgotten by the family, and are "in the deep bosom of the ocean buried." A repetition of these family jars is now rather stale, even for the tender sympathies of our sympathizing friends over the way;

and therefore, out of proper regard to them, they will be spared the infliction of such a recital. I was there, sir; was one of those who, on the meeting of that convention, was called by some of the ardent a traitor to the party; but three days thereafter, at the close of that convention, my associates and myself were esteemed patriots and saviours of the party—thus furnishing, in this instance, another illustration of the truth of history, that classifications generally are the results of successes or failures, in any enterprise of magnitude. I was there, sir; and was one of the Brutuses who helped to slay our Cæsar, (Mr. Van Buren,) "not that I loved him less, but that I loved Rome more;" and, like Brutus, I have reserved the same dagger, to be used by some friendly hand upon myself, whenever, like him, I shall so far forget or mistake the interests of my country. I will barely add, sir, that there was nothing which occurred, in my judgment, at that convention, inconsistent with a settlement of this question by negotiation. The action of the President on this question shows in what light he views it.

Mr. President, I have now said nearly all I intended to say upon this subject. I shall detain the Senate but a few moments longer. Sir, I deprecate war; I have no taste for fields of carnage, or for the conflagration of cities; no desire unnecessarily to interrupt the business or peaceful pursuits of men. Feeling thus, sir, I hope, notwithstanding my fears to the contrary, that we shall have no war. I desire that this notice shall pass, that the President shall be left untrammelled; that he may, if possible, secure our rights in Oregon, which can never be abandoned, and at the same time avoid this war. A war, however honorably it may terminate, (for of that I have no fears,) would be troublesome, expensive, and inconvenient to the United States. It would be the same to Great Britain; and she, I hope, is not disposed to overlook that consideration. Her people, like those of the United States, live by their labor, and flourish by their commerce. A war between the two countries would interrupt those pursuits. To her it ought to be as desirable as to the people of the United States that this irritating question, so long an open one, should be settled amicably, and settled soon. She must learn the lesson now, if she has not already learnt it, that however desirable it may be to her, this Oregon question can no longer remain in its present position—that the conventions of 1818 and 1827, whatever may be the results, are already doomed to annihilation. This is settled.

I am ready, sir, to confess that I have no particular partiality for Great Britain. I have, perhaps, inherited prejudices against her. But still, sir, if she will settle this question fairly and justly, and I will add promptly, and by so doing preserve the peace between the two countries, I shall be one of the first to forget the past of two wars—the many irritating disputes since, and in my own time, with her—her unjust diplomacy—and, in the honesty and sincerity of my heart, do all I can to cultivate the most amicable relations and intercourse with her, henceforth and forever. Let her, in the eloquent language of our Secretary, "remove the only cloud that now intercepts a long and prosperous peace between the two countries," and no one, on

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either side of the Atlantic, will rejoice at it more than myself. And in doing this, I ask no favors at her hands. I am too proud to ask her for concessions. Of the two, I would sooner give than receive them. All I want is that to which my country is justly entitled. All I ask, in the settlement of this question, is justice and fairness, and these willingly granted, in a frank and manly spirit. Let her do this, and our ancient differences and our late

and present irritations will be soon forgotten, and peace will shed its happy influence over the relations and intercourse of these two great and powerful nations of the earth. She has the honorable offer of *peace* on these terms, or war, if she desires it, on any other; and in selecting this option, it is to be earnestly hoped that wisdom and justice, and not petty jealousies or passion, will rule her councils.

