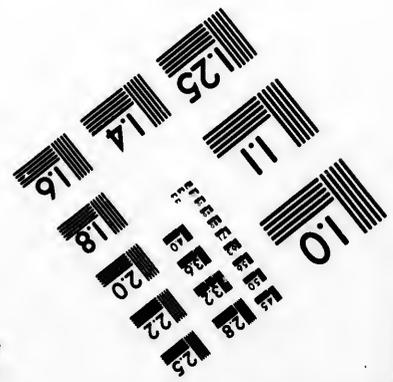
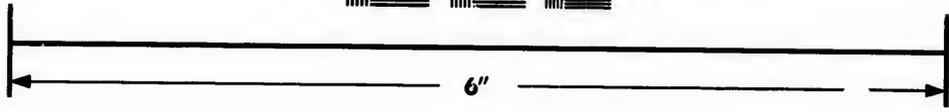
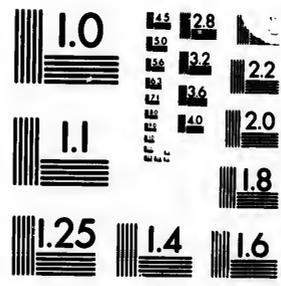


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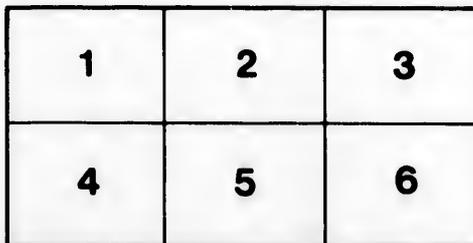
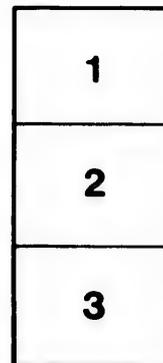
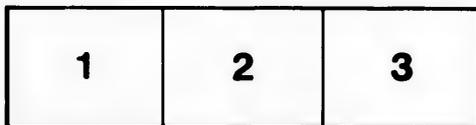
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# OREGON

**HISTORICAL AND DESCRIPTIVE.**

CONTAINING A FULL AND ACCURATE

**DESCRIPTION OF THE COUNTRY,**

A NARRATIVE OF THE

DISCOVERIES AND SETTLEMENTS CONNECTED WITH IT,

AND ALSO OF THE DISPUTED

**CLAIMS OF GREAT BRITAIN AND AMERICA.**

TO WHICH IS ADDED

**THE PRESIDENT'S MESSAGE**

TO THE SENATE OF THE UNITED STATES.

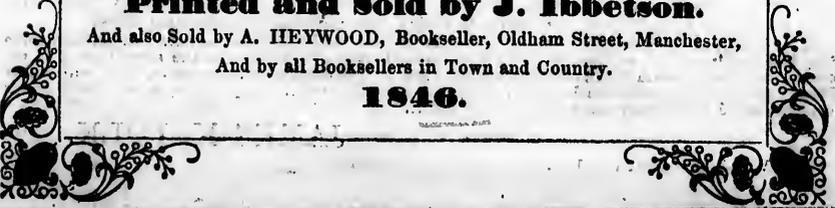
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# THE PRESIDENT'S MESSAGE.

TO THE SENATE OF THE UNITED STATES—

In answer to the inquiry of the Senate, contained in their resolution of the 17th instant, whether, in my "judgment, any circumstance connected with, or growing out of the foreign relations of this country, require at this time an increase of our naval or military force," and if so, "what those circumstances are," I have to express the opinion that a wise precaution demands such increase.

In my annual message of the 2d December last, I recommended to the favourable consideration of Congress an increase of our naval force, especially of our steam navy, and the raising of an adequate military force to guard and protect such of our citizens as might think proper to emigrate to Oregon. Since that period, I have seen no cause to recall or modify these recommendations. On the contrary, reasons exist which, in my judgment, render it proper not only that they should be promptly carried into effect, but that additional provision should be made for the public defence.

The consideration of such additional provision was brought before appropriate Committees of the two Houses of Congress, in answer to calls made by them in reports prepared, with my sanction, by the Secretary of War and the Secretary of the Navy, on the 20th December, and the 8th January last; a mode of communication with Congress not unusual, and under existing circumstances believed to be most eligible. Subsequent events have confirmed me in the opinion that these recommendations were proper and precautionary measures.

It was a wise maxim of the father of his country, that "to be prepared for war, is one of the most efficient means of preserving peace;" and that, "avoiding of occasion of expense by cultivating peace," we should "remember, also, that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it." The general obligation to perform this duty is greatly strengthened by facts known to the whole world. A controversy respecting the Oregon territory now exists between the United States and Great Britain; and while as far as we know, the relations of the latter with all European nations are of the most pacific character, she is making unusual and extraordinary armaments and warlike preparations, naval and military, both at home and in her North American possessions.

It cannot be denied that, however, sincere may be the desire of peace, in the event of a rupture those instruments and preparations would be used against our country. Whatever may have been the original purpose of these preparations, the fact is undoubted that they are now proceeding, in part at least, with a view to the contingent possibility of a war with the United States. The general policy of making additional warlike preparations was distinctly announced, in the Speech from the Throne, as late as January last, and has since been reiterated by the Ministers of the Crown in both Houses of Parliament. Under this aspect of our relations with Great Britain, I cannot doubt the propriety of increasing our means of defence, both by land and sea. This can give Great Britain no cause of offence, nor increase the danger of a rupture. If, on the contrary, we should fold our arms in security, and at last be suddenly involved in hostilities for the maintenance of our just rights, without any adequate preparation, our responsibility to the country would be of the gravest character. Should collision between the two countries be avoided, as I sincerely trust it may be, the additional charge upon the treasury, in making the necessary preparations, will not be lost; while, in the event of such a collision, they would be indispensable for the maintenance of our national rights and national honour.

I have seen no reason to change or modify the recommendations of my annual message in regard to the Oregon question. The notice to abrogate the treaty of the 6th of August, 1827, is authorised by the treaty itself, and cannot be regarded as a warlike measure; and I cannot withhold my strong conviction that it should be promptly given. The other recommendations are in conformity with the existing treaty, and would afford to American citizens in Oregon no more than the same measure of protection which has long been extended to British subjects in that territory.

The state of our relations with Mexico is still in an unsettled condition. Since the meeting of Congress another revolution has taken place in that country, by which the Government has passed into the hands of new rulers. This event has procrastinated, and may possibly defeat, the settlement of the differences between the United States and that country. The Minister of the United States to Mexico, at the date of the last advices, had not been received by the existing authorities. Demonstrations of a character hostile to the United States continue to be made in Mexico, which has rendered it proper, in my judgment, to keep nearly two-thirds of our army on our south-western frontier. In doing this, many of our regular military posts have been reduced to a small force, inadequate to their defence, should an emergency arise.

In view of these "circumstances," it is my "judgment" that "an increase of our naval and military force is at this time required," to place the country in a suitable state of defence. At the same time it is my settled purpose to pursue such a course of policy as may be best calculated to preserve, both with Great Britain and Mexico, an honourable peace; which nothing will so effectually promote, as unanimity in our councils, and a firm maintenance of all our just rights.

JAMES K. POLK.

Washington, March 24, 1846.

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# OREGON.

THE Oregon is a vast territory situated between the 42° and 52° north lat. and 113° and 133° west long. It contains 303,000 square miles, is three times as large as Great Britain and Ireland, and of equal extent to the 13 original states of America. On the coast is Vancouver's Island which is 200 miles in length, and 50 in breadth, and contains 12,000 square miles—here the Mormons, it is said, intend to take refuge from the fierce persecution which they have endured in the western states of the Union; also Queen Charlotte's or Washington's Island, 150 miles in length and 50 in breadth, containing an area of 5,000 square miles. This territory is bounded on the east by Canada and the United States, on the west by the Pacific Ocean, on the north by the British and Russian possessions, and on the south by Mexico. It is divided from Canada and the United States on the east by the Rocky Mountains, a long range stretching parallel with the Pacific from Isthmus of Panama almost to the Arctic Ocean; and presenting a corresponding chain to the Andes in the southern hemisphere.

“Among the Indians and early explorers this range was known as the Clippewyan Mountains. Rising in the midst of vast plains and prairies, traversing several degrees of latitude, dividing the waters of the Atlantic and the Pacific, and securing to bind with diverging ridges the level regions on its flanks, it has been figuratively termed “the backbone of the northern continent.” They consist of ridges, knobs and peaks variously disposed, some of them from the height of 15,000 to 25,000 feet above the level of the sea. The more elevated parts of them are covered with perpetual snow, which gives them a brilliant and luminous appearance; and from this they are sometimes termed “The Shining Mountains.” Some parts of this range bear traces of volcanic action, and vestiges of extinguished craters are to be seen on the elevated heights, while some of the adjoining vallies are strewn with broken stones of volcanic origin. In the rugged defile and deep vallies of these mountains are the haunts or places of refuge of tribes of savages once the inhabitants of the prairies, but now broken up and scattered by war and violence.”—driven by the wrongs and cruelties of the free and enlightened citizens of the states to find a home in these mountain fastnesses where, far from the abodes of civilized man, they may enjoy the life which God has given them.

The river from which the territory derives its name is a prominent feature of the country, and is very frequently referred to in the disputed claims. By the Americans it is termed the “Columbia,” that name being given to it by Captain Gray in 1791, in honour of his ship which anchored at its mouth. This trivial circumstance is announced with a great flourish of trumpets by the Americans, tho’ it cannot in any way prove the validity of the American claims from the fact that the name “Oregon,” a purely fabulous one, was given by Carver, a British subject, in 1766, and which name it had borne for a quarter of a century before Gray's pretended discovery. Before the year 1760, the river was described in Spanish charts as the St. Roc.

The whole territory has been termed the Valley of Oregon, and on this (as is afterwards adverted to) the Americans found a claim to the sovereignty in right of Captain Gray's alleged discovery, on the principle that in the case of discovery of a river, the right of sovereignty extends to the whole region drained by it. The total length of the river is about 1,000 miles, it has its source in the Rocky Mountains, within 200 miles of the head waters of the Missouri, and receives many tributary streams before it disembogues in the Pacific. After flowing for 400 miles, it unites with Clarke's river from the east, a stream of considerable size and importance, (called after the American traveller) and leading to one of the passes in the Rocky Mountains. It continues its course first west and then south to its union with Lewis's River, the largest tributary in the territory, named after Clarke's fellow traveller, which intersects the country to the borders of California. These rivers and innumerable small branches drain the country in every direction and abound with fish and beaver.

The river Oregon is a mighty stream. For 30 or 40 miles from its mouth it is indented with deep bays, so as to vary from 6 to 7 miles in width, and at a distance of 50 miles from its entrance is two miles in breadth. Though it does not possess all the facilities for navigation of the Mississippi or Missouri, arising principally from the difficulty of ingress or egress from the Pacific, yet, in the present state of engineering and steam navigation, with little difficulty and moderate outlay, steamers similar in power and draught to those that navigate the St. Lawrence, may ascend the Oregon to within a short distance of the Rocky Mountains. At 180 miles from the sea it meets the tide and disembogues in the Pacific, between Capes Adam and Disappointment, in north lat. 46 24'.

The following description of the country by a late resident thereof will give a general idea of the climate, resources, and value of the territory.

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"In describing the country it will be desirable to consider it in the divisions which the different claims and propositions mark out.

There are:—

1st. "The country between 56° and 40° N., which were the most moderate of the American propositions given effect to, would fall to the share of Great Britain.

2nd. "The country between 40° and the Columbia River, which, (with a slight reservation to be adverted to) might some years ago have been secured for England.

3rd. "The country between the Columbia River and 42°, the Spanish (now Mexican) boundary acknowledged by the United States in 1810.

"The first of the above divisions has a coast line of about 500 miles; its breadth is about 350 miles. It thus forms a territory of 175,000 square miles, exclusive of the adjacent island—Queen Charlotte's—which has an area of upwards of 5,000 square miles.

"This extensive territory is, at present, occupied solely by Indians, and by a few officers and servants of the Hudson's Bay Company, engaged in the fur trade. This trade is conducted at two positions on the coast, and six in the interior country; the coast trading houses being supplied by a coasting vessel from Vancouver, while the wants of the establishments in the upper country are supplied by land transport from the northern waters of the Columbia. The Indians of the coast are numerous, fierce, and treacherous. Their natural intelligence considerable; and, occupying a country in which deer and fish are abundant, they are but little dependant on the traders. In the interior country, the natives are much inferior in character and position.

"This extensive tract is quite unfit for agricultural settlements. It is sterile and rocky; and its climate, though not so cold as that of the eastern side of America under the same latitudes, is more than equally objectionable from continual rains during six months of the year, and dense fogs during the other six months. The shores are covered with forests of pines of peculiar value for ship-building; and numerous indications have been observed of the existence of strata of coals, and mines of Iron.

"The second division of territory has a coast line of two hundred miles, and its breadth (to the northern branch of the Columbia, which here runs parallel to the coast) is about the same, thus forming an area of forty thousand square miles.

"This district is also, at present, valuable to civilized man only for the few furs traded with its Aborigines. The agricultural settlement at Fort Vancouver supplies merely the wants of those engaged in the fur trade, and another attempted on the Cowlitz River, near the straits of Juan de Fuca, has failed of success. The country is not so rugged as that which I before described; the climate is also better; and the soil though not naturally fertile, is capable of successful cultivation.

"To this division the extensive island known as 'Vancouver's,' may be considered to belong. This island has an area of nearly twelve thousand square miles, and it possesses far greater advantages, in soil and natural configuration for settlement, than the adjacent parts of the continent.

"The diplomatists of the United States would, I have learnt from good American authority, until the present excitement arose, have surrendered both the above regions to England, with the reservation of the tract bounded by the Columbia River on the south, the Straits of Fuca on the north, the Pacific on the west, and the Cowlitz River on the east. This reservation would have given to their country the command of the Columbia River for fifty miles from its mouth.

"In describing the third section of country, the most prominent subject is the River Columbia, which forms its principal outlet to the ocean.

"The valley of the Columbia for one hundred and fifty miles from the sea, is to a distance of twenty miles covered by a dense forest of trees of gigantic growth, quite beyond the efforts of puny man to clear away. Open plains do occur, but they are few and far between, and not adapted for settlement, in consequence of the want of water in summer. The climate is but indifferent. The rainy season extends from November to March, and the quantity of rain poured down upon the earth during that period is very great. Frost and snow are unfrequent. The summer is dry, and the heat intense and long continued, the thermometer for four months frequently attaining 100° in the shade.

"The country higher up the river is much in contrast to this. More distant from the wide Pacific, rains are here unfrequent; the woods give place to plains of immense extent, and health and vigour are enjoyed by the residents, instead of the languor and depression felt by those of the valley."

Until within a late period the Indians and the Officers of the Hudson's Bay Fur Company, have been almost the only inhabitants of Oregon. The manners, customs, and mythology of the Indian tribes possess a high degree of interest, but our space precludes all reference to them here.

The trade in this region is conducted principally under the auspices of the Hudson's Bay Fur Company. The whole number of its officers and servants resident in the region does not exceed three hundred. They are as mingled motley and unwelcome a rabble as can be well imagined. Hebrideans, Orkney-men, Canadians, and Sandwich Islanders, being in about equal numbers."\*

A. Simpson, Esq.

Throughout the Oregon territory are scattered from thirty to forty American Missionaries, Wesleyans and Presbyterian—who, in addition to their *spiritual* labours exert a considerable political influence. There are also "several French Canadian Priests labouring in this wilderness, and putting to shame the efforts of their protestant brethren after self aggrandisement by a singleness of purpose (which purpose is *propagandism*) and entire devotion thereto."\*

The principal settlement deserving notice is that formed on the banks of the Wallamette, flowing from the south into the Columbia, opposite Fort Vancouver; a spot admirably adapted for the purpose. This settlement was founded by the officers and servants of the Hudson's Bay Company, of whom "Many had wed a savage woman who had raised for them a dusky race."\* Mr. Simpson thus describes his visit to the settlement:—

"I spent several days in the Wallamette Colony in May, 1840. It then contained about one hundred families. By far the greater part of these were French Canadians and their descendants. They formed a very respectable, and, considering the country and their previous mode of life, and very regular congregation, ministered to by Monsieur Blanchette, a most estimable and indefatigable priest of the Roman Catholic faith. A few Americans had also located themselves—stragglers from whale ships and trapping parties; and the Wesleyan mission consisted of four families, comprising a clergyman, a surgeon, a schoolmaster and schoolmistress, and an agricultural overseer, under whom the native lads acquired some instruction in farming, for which their labour is more than a recompense."

"The settlers, aware that under American law they would have a preferable title to but a limited number of acres, had diligently searched the banks of the river for the most fertile and advantageous locations. Thus the settlement, even then, extended for more than twenty miles along the river. The people lived in rude plenty; and seemed contented, happy, and healthy. Their surplus produce of wheat, &c., they bartered with the Hudson Bay Company for goods."

A wagon passage through the Rocky Mountains having been discovered, great numbers of emigrants in the course of 1843 "located" themselves on the banks of the Wallamette, which, in 1844, had population of 5,000, which at the present time, is in all probability doubled.

#### NARRATIVE OF THE DISCOVERIES, SETTLEMENTS, &c.

In the following narrative the discoveries, settlements, &c., connected with Oregon, which are referred to in the disputed claims, are stated in the order in which they occurred.

In the year 1580, Sir Francis Drake sailed along the north west coast of the continent of America, as far as 48 north lat. and discovered the harbour of San Francisco, a harbour unrivalled in the world.

In 1592, Juan de Fuca, a Greek, in the service of Spain, sailed along this coast, and to him is given the honor of discovering the Strait bearing his name.

In 1774, Captain Juan Perez sailed in the vessel Santiago, under the auspices of the Viceroy of Mexico, along the coast to the 60° north lat. landed on Queen Charlotte's Island and in Nootka Sound, which they named Port San Lorenzo, (but this fact is disputed.)

In 1775, Heceta, in company with Perez and Quadra, sailed along the coast and discovered the mouth of the Columbia, which he named Entrada de Heceta.

In 1776, our illustrious countryman, Captain Cook, discovered Cape Flattery, the southern entrance to the Straits of Fuca, and anchored in Nootka Sound.

In 1788, Meares a British subject, formed the trading establishment at Nootka Sound, which gave rise to the celebrated convention bearing that name.

In 1792, Captain Vancouver, who had been sent from England to witness the fulfilment of the terms of the Nootka Sound Convention, on departing from that place entered the Straits of Fuca and after an accurate survey of the coasts and inlets on both sides, discovered a passage northward in the Pacific; having thus circumnavigated the Island that now bears his name. His lieutenant, Broughton, passed the Bar and sailed a considerable distance, 90 miles, up the river on an exploring expedition, taking possession in the name of his Sovereign the King of England, which ceremony was duly performed and recorded by Captain Vancouver.

At the same period Sir Alexander Mackenzie, a partner in the North West Fur Company, (now the Hudson's Bay Company), crossed the Rocky Mountains, discovered the head waters of the river, since called Fraser's River, and, following its course, effected a passage to the sea. On his return, the company formed several trading posts on the river, and on the Columbia.

In the same year, 1792, Robert Gray, in the American merchant vessel, the Columbia, passed the Bar and entered the river which he named after the vessel, and arrogated to himself the honour of its discovery; tho' on the testimony of the Americans themselves, this was effected by Heceta, in 1775.

In 1805, Meriwether Lewis and William Clark, were commissioned by the American government to explore the river Missouri and its principal branches to their sources, and then to seek and trace its termination into the Pacific, some stream, whether the Columbia, the Oregon, the Boloroda, or any other which might offer the most direct and practicable water communication across the continent, for the purpose of commerce. In 1805, they reached the head waters of the Columbia, and descended the branches which bear their names.

In 1811, Thompson, the astronomer of the North West Fur Company, discovered the northern

\*A. Simpson, Esq.

head waters of the Columbia, and on the authority of Washington Irving, was the first white man who descended the northern branch of that river from so near its source. He followed the river to its mouth, calling at all the Indian villages, presenting them with British Flags and planting them at the forks of the rivers, proclaiming formally that he took possession of the country in the name of his Sovereign the King of Great Britain for the North West Fur Company.

In the same year, 1811, John Jacob Astor, of New York, having discovered the lucrative nature of the Fur Trade, projected the *American Fur Company*, a rival establishment to the North West Fur Company. This Company established a trading port at the mouth of the river Columbia, and attempted in concert with the Russians, to monopolize the trade with China. In this Mr. Astor met with but misfortune and loss. His first ship was destroyed and the crew murdered on the Oregon coast, and the second wrecked on an island in the Pacific. The fort of Astoria was in possession of the British during the last American war, but was yielded to the American Fur Company, under the treaty of Ghent, which provided, "that all places, territories, and possessions whatsoever; taken by either party during the war, except some situated on the Bay of Fundy, shall be restored without delay." After a series of reverses the trading establishment of Astoria, with the ports established by the same company on the Spokane River, and at the confluence of the Okanegan with the north branch of the Columbia were sold to the British North West Fur Company, and has remained in the possession of the British to the present time. This visionary scheme, so badly carried out, has had the good fortune to find an historian in that fascinating and popular author—Washington Irving. The magic of his pen has given to this ill-digested and fruitless scheme of a money-making German, the appearance of a grand national undertaking, and the wretched wooden stockade of Astoria, a celebrity little inferior to that of any city on the American continent.

#### HISTORY OF THE DISPUTE.

In the year 1818, the boundary line between the British possessions and the United States occupied the attention of the respective governments; the result was, the adoption of the 49 parallel from the Lake of the Woods to the Foot of the Stony Mountains. The Oregon territory was then a matter in dispute. The American government, under the administration of Mr. Monroe, offered to continue the 49 parallel from the Rocky Mountains westward to the Pacific.

Great Britain on the other part offered the 49 parallel from the Rocky Mountains to its junction with Macgillivray's river and thence down the middle of the channel of the Columbia to the sea, leaving the navigation of the river free to both nations, with the addition of a small detached territory north of the Columbia—the country north of the river to belong to Great Britain, and that south to belong to the United States.

Both of these offers being rejected, negotiations resulted in the convention of that year, by which it was agreed "that any country that may be claimed by either party on the north-west coast of America, westward of the Stony Mountains, shall, together with its harbours, bays and creeks, and the navigations of all rivers within the same, be free and open for the term of 10 years from the date of the signature of the present convention to the vessels, citizens, and subjects of the two powers: it being well understood that this agreement is not to be construed to the prejudice of any claim which either of the two high contracting parties may have to any part of the said country, nor shall it be taken to affect the claims of any other power or state to any part of the said country; the only object of the high contracting parties in that respect being, to prevent disputes and differences among themselves."

In 1824 the same offers were respectively made and refused for the same reasons, and the convention of 1818 was left unchanged.

In 1840, the same offer was again made by the United States, under the administration of Mr. Adams, with the addition of the free navigation of the River Columbia, south of that latitude. The negotiation of this year resulted in the convention of 1827, "by which it was agreed to continue in force, for an indefinite period, the provisions of the third article of the convention of the 20th of October, 1818; and it was further provided, that it shall be competent, however, to either of the contracting parties, in case either shall think fit, at any time after the 20th of October, 1828, on giving a due notice of twelve months to the other contracting party, to annul and abrogate this convention; and it shall, in such case be according entirely annulled and abrogated after the expiration of the said term of notice."

This was the state of the question when Mr. Polk succeeded to the presidency of the United States. The Oregon had just become a popular question, and his administration adopted the popular cry for their line of policy. At the time when Mr. Polk came into office, the matter was then the subject of negotiation, and great fault has been found with him in interfering before the negotiations had terminated, as evincing a desire to keep the matter from being finally settled. The President's first official notice of this subject is contained in the following:—

Extract from Polk's inaugural address delivered March 4th, 1845:—"Nor will it become in a less degree my duty to assert and maintain by all constitutional means the right of the United States to that portion of our territory which lies beyond the Rocky Mountains. Our title to the country of the Oregon is clear and unquestionable, and already are our people preparing to per-

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#### CLAIMS OF GREAT BRITAIN AND THE UNITED STATES.

In 1843, the Oregon country was brought prominently into notice, principally by the writings of Washington Irving. Emigration to that territory had just commenced, and for the first time since 1827, the disputed claims occupied the attention of the respective governments.

In the year 1843, negotiations were opened in London, and in 1844, were transferred to Washington. The correspondence, conducted by Mr. Calhoun and Mr. Buchanan, American Secretaries of State, and Mr. Peckham, the British Minister at Washington, is valuable and interesting in the extreme, as it embraces a view of the question from 1818 to the present time—the respective claims being stated at length.

The American claims to the Oregon are based upon—

The Rights America derived from Spain ;—

The Rights America derived from France ;—and upon

The Discoveries, Explorations, and Settlements of American citizens.

#### THE RIGHTS AMERICA DERIVED FROM SPAIN.

In the year 1810, Spain ceded Florida to the United State, and with it all the rights, claims and pretensions of his Catholic Majesty, the King of Spain, to the country lying west of the Rocky Mountains and north of the 42 degree parallel. And on this cession America founds a claim to Oregon.

It may be remarked that the Oregon was the subject of negotiation in 1818, whereas, this Florida treaty was not concluded until a year after that date.

In opposition to this claim it is urged,

1st. That Spain could only have any claim from the discoveries of her navigators, and that Drake, an Englishman, sailed along this coast anterior to their alleged discoveries.

2nd. That Spain acknowledged the right of Great Britain to these territories by the Nootka Sound convention in 1790.

The Nootka convention had its rise in the following circumstances: John Mears, a British subject, landed at Nootka in 1788, and founded an establishment there. This establishment was taken possession of by the Spaniards, acting under the orders of the Viceroy of Mexico. Mears appealed to the British Government for redress, and the convention of 1790 was the result.

That convention provides, by its first and second articles, for the restoration of the lands and buildings of which the subjects of Great Britain had been dispossessed by the Spaniards, and the payment of an indemnity for the injuries sustained. "And 5. As well in the places which are to be restored to the British subjects, by virtue of the first article as in all other parts of the north-western coasts of North America, or of the Islands adjacent, situate to the north of the of the parts of the said coast already occupied by Spain, wherever the subjects of either of the two powers shall have made settlements since the month of April, 1789, or shall hereafter make any, the subjects of the other shall have free access, and shall carry on their trade without disturbance or molestation."

This treaty was ratified by that of 1814, and after that the cession of the claims, rights, and pretensions of his Catholic Majesty the King of Spain, to all territory north of the 42 parallel is of as much value as is the grant of the whole continent of America by the Pope to his Catholic Majesty's Predecessors,

To this, Mr. Buchanan replies, "that the declaration of war by Spain against Great Britain in 1796, annulled its provisions and freed the parties from its obligations." Mr. Pakenham replies, that "the stipulation of the Nootka Sound Convention might have been considered as cancelled, in consequence of the war which subsequently took place, were it not that by the treaty concluded at Madrid on the 28th of August, 1814, it is declared "that all the treaties of commerce which had subsided between the two nations (Great Britain and Spain) in 1796, were thereby ratified and confirmed." A most triumphant answer.

#### THE RIGHTS AMERICA DERIVED FROM FRANCE.

The treaty of 1763 between France and England provided, that "the confines between the dominions of his Brittanic Majesty in that part of the continent of America shall be fixed irrevocably by a line drawn along the middle of the river Mississippi from its source to the river Iberville, &c."

The treaty Louisiana transferred and vested in the United States all the claims acquired by France and surrendered by England, among the rest, all country to the west of the Mississippi river, and according to the American interpretation of that treaty, to the Oregon territory.

In opposition to this it is urged, that the boundaries of Louisiana never extended beyond the sources of the Missouri and Mississippi, or, at the farthest, beyond the east of the Rocky Mountains, and also the opinion of President Jefferson, (no mean authority) under whose auspices the acquisition of Louisiana was accomplished,

In a letter written by him in August, 1803, are to be found the following words:—

"The boundaries (of Louisiana), which I deem not admitting question, are the high lands on the western side of the Mississippi, enclosing all its waters (the Missouri of course), and terminating in the line drawn from the north-west point of the Lake of the Woods to the nearest source of the Mississippi, as lately settled between Great Britain and the United States."

"In another and more formal document, dated in July, 1807—that is to say, nearly a year after the return of Lewis and Clarke from their expedition to the Pacific, and fifteen years after Gray had entered the Columbia River—is recorded Mr. Jefferson's opinion of the impolicy of giving offence to Spain by any intimation that the claims of the United States extended to the Pacific; and we have the authority of an American historian, distinguished for the attention and research which he has bestowed on the whole subject of the Oregon Territory, for concluding that the western boundaries of Louisiana, as it was ceded by France to the United States, were those indicated by nature—namely, the high lands separating the waters of the Mississippi from those falling into the Pacific." *Vide official Correspondence.*

#### AMERICAN CLAIMS FROM DISCOVERY, &c.

The claim of the American government on the ground of discovery, is based on the alleged discovery of the River Columbia by Gray, in 1792. But that river was known long before Gray's voyage—and his giving the name of his ship to the river is no proof of discovery whatever, as before that time the river was described in Spanish Charts as the *St. Roc*. This pretended discovery of Gray was in no way official or followed by any mark of recognition by the American government; for so late as the year 1826, the American plenipotentiaries in London remarked;—"With respect to the mouth of the Columbia river, we know nothing of Gray's discoveries but through the British accounts." The claim to the Oregon by virtue of this alleged discovery of Gray on the assumption that *the claim of discovery in case of a river extends to the region drained by it* is opposed on the following reasons:—

a. On the discovery of the waters of the Columbia by Carver, in 1768, which is undisputed; and  
b. On the discovery of Frazer's River by Sir Alexander Mackenzie, in 1792, which is also undisputed. If the former assumption of the right of discovery of a river extends to the entire region drained by it be allowed in the case of Gray, it also holds good in the case of Frazer's river, and the head waters of the Columbia, and, therefore, the American offer of the 49<sup>th</sup> is, in fact, no compromise whatever, as the region north of that degree is drained by the head waters of the Columbia and Frazer's river.

2nd. On the explorations of Lewis and Clarke in 1805, and their discovery of the South branch of the Columbia.

To this claim it is urged, that this discovery could give no better title, if so good, as the discovery of Mackenzie in 1792; or Thompson in 1811.

4th. On the settlement of Astoria. To this is replied, that the British North West Fur Company had settlements in Oregon in 1806, and that Astoria was sold to the above company during the last war and has remained in its possession to the present time.

THE BRITISH CLAIMS TO OREGON will be obvious from the replies to those of America. They may be thus briefly stated:—

1st. From the rights which Great Britain held in common with Spain not only over Oregon, but that part of California north of the harbour of St. Francisco; which were acknowledged in the Nootka Convention, in 1790, and ratified by the treaty of Madrid, in 1814.

2nd. From the Discoveries of Drake in 1580, of Cook in 1776, of Captains Berkeley and Duncan in 1787, from the settlement at Nootka in 1788, from the discoveries of Vancouver and Broughton in 1792, of Mackenzie in the same year, and of Thompson in 1811.

3rd. From a continuous occupation from 1788.

4th. From a threefold greater contiguity than the United States.

In this negotiation Great Britain offered, in addition to former propositions, to make free to America any ports, either on Vancouver's Island or on the coast, and also a separate portion of territory on the north of the river; America withdrew the former offer to make free the navigation of the Oregon river to both nations.

In December last negotiations were again opened at Washington by an offer from the British Minister to refer the dispute to the arbitration of any Sovereign or State to be agreed upon by the contending parties; or if there should be an objection to a crowned head, to a mixed commission with an umpire, or a board of legal commissioners. The American Government replied, that if it would arbitrate at all, it would never consent to any other question than that of Title; and, further, that the claims and interests of the United States will not admit of arbitration.

On the 9th ult. the American House of Representatives, by a majority of 168 to 54, Resolved that the President of the United States cause notice to be given to the Government of Great Britain that the convention for the joint occupation of Oregon be abrogated and annulled at the expiration of twelve months.

This is the present state of the question. The violent speeches of Allen and Quincy Adams, and the popular war cry *The Whole Oregon or None*, give little hope for peace—come what may England has done her utmost to great

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