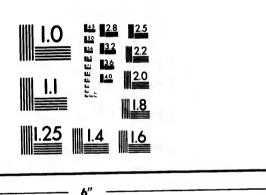


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### SPEECH

OF

# HON. C. ASHLEY, OF ARKANSAS,

ON

# THE OREGON QUESTION.

DELIVERED

IN THE SENATE OF THE UNITED STATES, FRIDAY, APRIL 3, 1846.

WASHINGTON:

PRINTED AT THE OFFICE OF BLAIR AND RIVES.

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The Joint minate and Gretory, be Mr. AS Mr. Pa one could to throw 1 thing new ate at this I could ho

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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. ASHLEY addressed the Senate as follows: Mr. PRESIDENT: I can scarcely hope, indeed no one could reasonably expect, that I should be able to throw much additional light, or to advance anything new on the important subject before the Senate at this late stage of its discussion. The utmost I could hope to do, would be, to present some of the old arguments under a new gaise, and state the results of those arguments on my own mind. I shall, of course, be liable to present many thoughts and arguments in a manner somewhat crude, and not sufficiently matured. Be that as it may, I do not feel myself justified, as one of the representatives of a sovereign State, to give a silent vote on a question so momentous, which may possibly result in involving the peace of this country with one of the most powerful nations of the earth, as England is vauntingly represented in this chamber, but feel myself conscientiously bound to give the reasons which will govern my own vote on the various propositions now under consideration, and for the strength and correctness of which I hold myself

responsible to my constituents. In the discussion of this question, various topics have been introduced, which, in my judgment, were altogether irrelevant, and have really nothing to do with its merits. If we had confined ourselves to the isolated question legitimately and properly before us, it appears to me that there could be scarcely any difference of sentiment as to the proper course which ought to be adopted. The simple question of notice alone, would surely have long ago been determined upon, if all who believed we had any claims to Oregon had acted in concert. There are, nevertheless, some other subjects which, though not strictly connected with the question before us, it may not be improper for the Senate of the United States-a most important branch of the Government-to look forward to, and carefally weigh; such as the results that might be anticipated as likely to spring out of the giving the con-templated notice. If we believe war will probably follow, then prudence and sound wisdom would require us to make adequate preparation, in view of such a contingency.

Thus far it might be proper to go beyond the intrinsic merits of the question before the Senate; and I cannot assent to the propriety of introducing anything else. Notwithstanding many irrelevant and extraneous matters have been brought into this discussion, (which I should not have introduced myself,) yet, having been frequently referred to, and commented on, in the previous debate, I am unwilling to pass in silence, lest the Democratic party should be subjected to wrong constructions, and imputations wholly gratultous and unfounded, and our silence adduced as evidence of the justness of the allegations made, and inferences deduced from them by our Whig friends on the other side of the chamber. One of these irrelevant matters, which has most surprised me, is the introduction into this chamber and this debate of the doings of the Baltimore convention; and I have been yet more surprised at a charge made by an honorable Senator from Virginia, on the other side of the chamber, [Mr. Ancuen,] that the convention and its introduction here was the result of Jacobinism; and not to misrepresent the remark of the gentleman, I beg leave to read from his published speech a short extract. He says:

tract. He says:

"The authority of the Baltimore convention had been openty invoked in the discussion, as one of the appropriate means to influence it. It was proper that the people should be unde acquainted with the fact, and with the fearful bearing of this appeal. The Baltimore convention! What was lit? The authority of an association unknown to the institutions of the country, made the subject of appeal to control the legislation of the country! This body, really self-appointed, or nearly so, convened for an alteged specific object, ocarry into effect an assumed public sentiment in relation to that object. Its first proceeding had been to discard the admitted public sentiment while it in purported to have met to effectante. Its notorious course of proceeding had been not or receive, but to make a public sentiment in substitution of that which it professed to have been sent to execute; and then to raise political issue which night be inflamed in aid of this operation. A junto, with no authority of any sind, or acting in admitted contradiction and vloation of its nootiessed authority, had been successful in dictating its most important election to the country; and its authority was now employed, on the prestige of that success, to dictate the gistation of the country on a subject of the most vital importance. This was the first open avowal the country by set to be seen how the avowal would be received."

It is manifest from these remarks, that the Senator wishes to induce the people to believe that there has been an attempt to dictate to the Legislature, to influence their decisions improperly, and

to control their action, as the celebrated Jacobin club of Paris did in the days of the French Revolution. Is he borne out in this by anything that has transpired in this chamber ?- by anything that has been done out of it?-by the acts of the Bultimore convention itself, or the Democratic party, whose delegates composed that convention? that convention was composed of delegates from all parts of the Union, representing the will and wishes of the whole Democracy of the United States; possessed of high talents, and the full confidence of those whom they represented, convened to consult on the common weal of the party, and to select candidates for the Presidency and Vice Presidency of this great Republic, that should meet the wishes and carry out the principles of the Democratic party-the principles of a Washington, a Jefferson, a Madison, and a Jackson-and well did they perform their duty. Allow me, Mr. President, to read from the proceedings of that convention what they did do in relation to the subject now before the Senate. Mr. B. F. Butler, of New York, offered a series of resolutions expressive of the sentiments and principles of the party, which were unanimously adopted by the convention, among which, the only one referring to the subject now under discussion, is the following:

"Resolved, That our title to the whole of the territory of Oregon is clear and unquestionable; that no portion of the Oregon is clear and unique monate, and no perform or man same ough to be ceded to England or any other Power; and that the reoccupation of Oregon and the renamenation of Texas, at the earliest practicable period, are great American measures, which this convention recommends to the cordial support of the Planta of the Democracy of the Planta.

Was there any Jacobinism in this? If so, in what did it consist? After a thorough examination of the whole proceedings of that body, and all that has been done since under those recommendations, in and out of this chamber, I can find no feundation for the charge so gravely made by the Senator from Virginia. This resolution I have read, contains, I think, good sound doctrine, and recommends the reoccupation of Oregon, and the reannexation of Texas, as great American measures. Is such a recommendation Jacobinical? If it is, sir, a large portion of the American people have shown their love of Jacobiniam, by adopting one of those American measures. They have already reannexed Texas, and have added the lone star of that little republic to our own bright and glorious constellation; and within a few days past, we have witnessed the full evidence of its consummation in this chamber. It was, sir, one of the proudest days of my life, when I heard the oath of office administered to her Senators, and they took their seats in our midst as the representatives of that young and chivalrous State, whose independence was obtained by her sons on the memorable field of San Jacinto. This resolution was neither more nor less than a recommendation of great measures to the Democratic party throughout the United States; and they, as I presume, will at this day be acknowledged on both sides of this chamber to constitute a large majority of the people of the United States. I see some gentlemen on the other side of the chamber shaking their heads at this proposi-tion. Is it not true, sir? Have we not the most overwhelming evidence of its truth? But if they will not admit it, we can resort to actual demonstration of its truth. Look, sir, at the triumphant

majority by which we elected our President and Vice President, nominated by this convention, in opposition to the idol of the opposite party. Lok at the large unjority of the Democratic party in the House of Representatives; and look at this body also, with a majority against us prior to the 4th of March last, and now having a large majority on our side of the chamber. Surely such evidence is full and complete, and establishes my proposition too fully to be endangered by the shaking of heads on the other side, or the force of argument itself. I deny that it is Jacobinical; and how its introduction here can be called a Jacobinical measure, quite passes my comprehension. Indmit its introduction was not called for in this discussion, and I should not have introduced it; but introduced it has been, and I will now, therefore, tell you what I do claim under the authority of that convention. Whether the resolutions there adopted bind the whole Democratic party or not, it is not necessary to investigate or determine; but I am quite sure, and I believe the Senators on the other side of the chamber even, will agree with me that the resolutions of that convention bound the President and Vice President of the United States, actually elected under nominations made by it, accompanied by their declaration of principles—" their confession of faith." Long anterior to the Baltimore convention, Mr. Polk, us was well known, had given to the world similar views on the Oregon question to those which were presented in the resolution, (and similar views to those presented by the whole series of resolutions adopted by that convention,) and he was selected by the convention for the high office he holds, as the exponent of these great principles promulgated to the American people, and known to have been in accordance with those entertained by him previous to the meeting of the convention. I repent, sir, the President and Vice President were bound to carry out those principles, by having acat the time declared them; bound, sir, as much us an elector for President and Vice President is to cast his vote in favor of the person whom he had pledged himself to support when he offered himself to the people as a candidate for their suffrages. The resolution, then, does but embody doctrines and sentiments which Mr. Polk put forth publicly long before the convention was held, and which, indeed, he had always avowed. He claimed the whole of Oregon as strongly as even the Senator from Missouri [Mr. BENTON] did in 1825 and 1842. He took this ground in public addresses, and published it to the whole United States. When the convention was called, they proclaimed the same principles; and, as representing the Democracy of this Union, they called upon him, as their nominee, to carry their principles into action. If he, after that, accepted their nomination, he is mest assuredly bound by their resolutions. He gave his bond to the American people. I hope the gentlemen on the other side will all agree with me, that whoever else may or may not be bound by the acts of that convention, those whom the convention nominated as candidates, and whom the people afterwards elected, were underiably bound, just as much as they would have been if they had issued a manifesto containing their political creed. In all this, if there is Jacobinism, then it makes a

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large majority of the American people amenable to the charge; and I, for one, Mr President, glory in being such a Jacobite.

There is another topic introduced by the gentle-man from Virginia, [Mr. Aachen.] It is, I know, a rather delicate matter, but I feel myself bound, as a western Representative, to vindicate the people of the West, and not suffer the unjust imputation upon them to pass unnoticed or uncontradicted. The gentleman from Virginia has thought proper to decry the intelligence of the western people: he had accused them of a recklessness of tempermnent—but charitably expressed the hope that the blessings of a more diffused education among us would in time correct the evil effects of that temperament. But, sir, lest I should not properly state the sentiments of the gentleman, I beg leave to read an extract from his published speech:

"A supposed peculiar western interest on this subject of Oregon had been adduced to explain the propensity to extreme measures manifested in that quarter of the country, and by its Representatives here. He (Mr. A.) did not ascribe the vehemence of this propensity to the inflaence of any such selfish consideration. Int he did ascribe it to a peculiarity of western temperament, the incident, perhaps, of their stage of social condition. The people were notoriously brave; but this bravery ran into recktiseness of all consequences in controversy with foreign Powers. They were as undoubtedly generous; but hey had the quality too othen found in affiance with splirt and generosity—impatience of resistance to their views, and the disposition to domineer over it. He (Mr. A.) admired his indigence of an extreme anxiety on the subject of this western temperament, not in relation to the present historice only of its dis-"A supposed peculiar western interest on this subject of an extreme anxiety on the subject of this western tempera-ment, not in relation to the present hastnee only of its dis-play, but the target future which was before us; the political power of the country being destined, probably, to pass to that region, before this temperament passed away from it, under the influence of its only corrective, diffued education. Rumination on this topic, he had to cenfess, had for some time kept thim in terror."

Put into plain English, this means neither more nor less than that the whole people of the West are so ignorant that they could not be expected to be right, either on this Oregon question or any other. This is certainly a most sweeping charge, and seems to involve all the people west of the Alleghanies. Now, I ask that gentleman, and the Senate, to look at the political character of these people-to look at what they have done, and omitted to do, and in what this western temperament has manifested itself in their conduct and history; and I aver that there are no people in these United States who have manifested so strong an attachment to their Government, or such a zealous de-votion to the union of these States. Why, sir, if the honorable Senator had described us all as the lineal descendants of patient Job, and had summed up our character by saying we were all the children of meekness and patience, he would have been far more correct. What have we ever done as a people to show cur recklessness and our proneness to run into extremes? Look at our past history, and see whether I claim too much for the meckness, forbearance, and patience of the people of the West. On the formation of the Conederation, the Old Thirteen became sovereign and independent, and in the adoption of the Constitution of the General Government, made provision for the admission of new States, and subsequently entered into a compact with Virginia, and a treaty with France, that certain new States should be admitted "on an equal footing with the original

States were the absolute owners of the soil within their limits, they, in violation of their own compacts, refused to the new States that right of soil inherent to sovereignty, and which each original State possessed itself, but held on to it, and peddled it out for the sole advantage of the General Government. What did the West do? Rebel? Get up a civil war? Nullify the laws of Congress, thus violating our sovereignty? No, sir. We have, from time to time, complained and protested only. What did the people of Arkansus do, when forty miles in width of the whole western portion of her recognised territory was taken from her, and by which hundreds of her citizens were removed from their furms, opened and improved by the labor of their own hands, and given to the Indians, to induce them to remove west of the Mississippi, out of the States where they were born, and their ancestors had lived, from time immemorial? Did we resist? No, sir. We have shown ourselves a law-abiding peoplc, and have never, in any instance, gone against, or resisted as authority. Take, as a further illustration, the tariff of 1842. I am not going into its merits, but I ask, what is the public sentiment in the whole West in regard to it? It is perfectly well known that a large majority of western men consider it as a system of "legalized robbery;" and yet, how have we deported ourselves under it? Have we held public meetings, and adopted resolutions to resist the law? No, sir, we have resorted to remonstrance-we have made an appeal to reason and to justice; and this reckless western temperament has contented itself with resorting to the hallot-box alone to correct the evil. That is our disposition for "running to extremes." No, sir, we never had, in our part of the country, any Hartford Conventions; we have never put arms into the hands of our militia to resist their own Govern-ment. We never called upon our people to pre-vent the collection of an excise tax. We have never attempted, in any of our Legislatures, to do away with the compromises of the Constitution, or to declare the Union dissolved, because a new State had been admitted into the Union, agreeable to the forms of the Constitution itself. Nothing of the kind. On the contrary, I insist that the people of the West have shown more attachment to the Union than those of any other portion of the United States. Yet the gentleman says that our rash recklessness of character will be corrected by-and-by, by the influence of education. Yes, sir, by the influence of education! Why, sir, I hold that the population of the western States are, at this moment, better informed than the people of any State in this Union, except those of New England, where they have long enjoyed the advantage of the system of common schools. I say confidently, that there is no portion of the people of the southern, or of the middle States, that can compare at all in useful knowledge, and the general prevalence of educa-tion, with the people of the West. In confirma-tion of this statement, and as a test of its truth, I beg leave to refer to a small statistical table which I hold in my hand, and which has been made out at my request, in the office of the Secretary of the Senate, from data contained in the census of 1840. It exhibits the relative number of those who are una-States;" and then, for sooth, although the original ble to read and write, as compared with the entire

population. This is intended to include only those country, with a view of benefiting them and in-States whose Senators have been called "the Hot-juring us. We are all American citizens; but spurs of the Senate," "the ultra men," "the all-when a contest exists in regard to titles between us and Great Britain, I hold it wrong to advecate out the remaining southern and western States, because neither could have been referred to an the remarks of the Senator. This table I especially commend to the attention of the Senator from Vir-

Proportion of white persons over 20 years of age who cannot read and write, to the aggregate white population of the following States, according to the census

	În	Virginia7.72	ner cent
		Arkansas	44
		Illinois	
		Missouri5.97	68
		Indiana	66
•		Michigan1.02	46
		Ohio2.35	66

Average per cent. proportion of the aix last-

named States, 4.84 per cent.

And now, how stands this matter in old Virginia, in the "Old Dominion," the "mother of States and statesmen?" with her long-settled countryher university—her colleges, and all her academies and common schools? Rather more within her borders can neither read nor write than double the proportion in the western States. Her average stands 7.72!!!-below any western State but Arkansas; while the one has been settled more than two hundred years, and the other some twenty-five; one a free sovereign State for seventy years, and the other ten only. [A voice: "But, then, Arkansas has always been Democratic."] True, Mr. President, she always has been Democratic; and I trust in Heaven will always remain so. It is that democracy, that equality of rights and privileges resulting from it, that has extended among the whole mass of her citizens the blessings of diffused education, of which she may well boast. After having so recently taken her station among her sister republics as a free, sovereign, and independent State of this Union-only one-half of one per cent. below Virginia-with all her wealth, her literary institutions, her age, and superior advantages in every respect!! I have taken this general fact as an indication of the state of information in a community; nor do I know a better or fairer test; and it places Virginia in a position where her Representatives in this chamber should have been the very last to say a word on the want of education in the West. Is it he that charges us with ignorance, and measures our temperament by it? I leave it to the candor of the gentleman from Virginia himself to say, whether, according to this standard of educational geography, if the West, through her ignorance, goes for 54° 40', Virginia ought not to stand firm at least as high as latitude

There is one other subject to which I cannot but refer. I do so with regret, and without the least purpose of casting censure on any one. I refer to the discussion in this chamber of the British title. I concede to gentlemen on the other side quite as much patriotism as is possessed by those on this. I am far from charging them with advocating British interests in opposition to those of their own

the British title, or express doubts about our rights, in open debate, in an American Senate. I was much gratified to hear the honorable Senator from Massachusetts [Mr. Weissten] say "that his tongue should blister before he would say one word in derogation of the American title so long as the subject was under negotiation. I think that in that determination he was perfectly right; other Senators have thought and acted differently. give them credit for the best intentions, but not for good judgment. I disagree with them in their ideas of duty. But what may be the effect of this line of conduct? Mr. Buchanan, in his corre spondence with Mr. Pakenham, says that the claim of England, on the ground of the trenty of Nootka Sound, was first suggested by the American negotiator, Mr. Rush. In this it is possible he is mistaken; but I shall not venture to contradict the Secretary of State without a further investigation than I have been able to make as yet. Let gentlemen only look what a curious position they may find themselves placed in. Since this nego-tiation commenced, the British Ministers have been compelled to change their whole ground. In the correspondence which took place in 1818, the British negotiators never once referred to the Nootka convention. They relied then on some purchase from the Indians, on Captain Cook's discoveries, and the Lord knows what else; but not a word about the convention of Nootka. Now, they rely on that convention altogether, and on nothing else; and yet this, which they now consider as their strongest ground, was first suggested to them by one of our own advocates. If my views of that matter are correct, they have got to change their ground once more; for I hold that they have not a shadow of title under that tresty. Will not those gentlemen, who have devised arguments here on the British side of the question, feel rather strangely if Mr. Pakenham should, on a renewal of the negotiations, bring forward new arguments, such as he never used before, which have been taught him on the other side of this chamber? I fancy they will have placed themselves in an extremely awkward position. I give credit to this Senate, as a legislative body, for the possession of talents equal to those of any other body of men on the face of the earth; and cheerfully admit that the gentlemen on the other side of the chamber are entitled to the credit of their full share. Who cannot select out of that portion of the Senate at least ten gentlemen who, in point of talents and knowledge, are quite equal to Mr. Pakenham? I fancy their vanity will forbid their giving a negative to this assertion. Now, if men of such calibre set themselves down to investigate a national title, is there not ground to suppose that they will hit upon arguments and of our previous considerations such as Mr. Pukenham never would of our previous thought of? They must remember, when ence that has have thought of? They must remember, when theirs, based suppose that they will hit upon arguments and jects. This they are urging arguments to restrain our claims in Oregon, they are addressing not merely us, ultra claimants, as they choose to term us, but they the vast num are talking to England also, and to the whole raised. The

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they have not a Will not those guments here on el rather strangea renewal of the guments, such as been taught him I fancy they will reincly awkward te, asa legislative ts equal to those face of the earth; entlemen on the itled to the credit sclect out of that gentlemen who, assertion. Now, mselves down to re not ground to n arguments and hum never would remember, when not merely us, ulterm us, but they

sented is not exaggerated. Let me illustrate by quoting an instance of it. The Senator from Maine over the way, [Mr. Evans.] suggested in his argument the other day, matters entirely new, and such as I will venture to say the British Minister never heard of before. I do not say that it would be right in us, if we were possessed of a knowledge of facts which England has not, to pure ane a fraudulent course in their concealment, as was done by the British negotiator in the famous case of the red-line map. I admit that we might, in common honesty, be bound to produce evidence; but I say it was a new argument, and such as never was urged against us in any of the pre-vious negotiations which have taken place on this Oregon matter, and which we were not bound to have produced. The Senator said:

"There is another thing which throws doubt on this part of our chain, and which we should earefully and thoroughly examine before we take steps that may plunge the andlor into war. I have seen a fact stated in a book, written, apparently, with a view of maintaining the soundness of our tilte, by a Mr. Robertson, a gentleman whom I do not personally know, but who, as I understand, is connected with one of the departments of the Government, and written in a spirit which abundantly exempts him from all imputation of partiality to Great Britain. The writer does not give his authority, but he says, speaking of the exploration by Lewis and Clarke, that the object of their expedition was not to make discoveries, but that it was purely commercial—for the purpose of opening a trade west of our possessions; and that they applied to Spain, England, and Russia, for passports, and actually obtained them. The pussage does not profess, indeed, to be a literal quotation—that is, it had not the usual marks of quotation, but is introduced as a francerip from the instructions given, and that at a time before we got Louisians. If this be so, it entirely repudnities so much of our ground of title as rests upon the exploration of the Columbia river by Lewis and Clarke. I do not any that such is the fact. All I say is, that this is a grave subject for discussion. We may be able to answer the difficulty."

I have no doubt myself but this is a "fish story;"

I have no doubt myself but this is a "fish story;" I don't believe a word of it. Still, it may be true. See what the Senator has done! It was not his intention, I know, and cheerfully admit, to do anything to injure his country. If it be true that appli-cation was made to the British Government for passports for Lewis and Clarke, the fact must be recorded in the British archives; and if the proof can be produced, it will furnish a far more plausible argument against us than Mr. Pakenham's on the Nootka convention-more plausible than anything Great Britain has been able to adduce. I do not, indeed, say it will be conclusive, but it will weaken one of our arguments based on Lewis and Clarke's exploration. We have said, that after getting Louisiana from France, we sent out Lewis and Clarke to investigate and examine the value of our new purchase. We have trumpeted it to the world as one of the wise acts of our Government; e, are quite equal r vanity will for assertion. Now, hunters, and new fishing grounds for our fisher-men—an exploration wholly for commercial obcets. This refutes, at one blow, all the arguments of our previous negotiators in all the correspondence that has passed between our Government and estrain our claims theirs, based on that exploration.

Allow me, Mr. President, to refer to one other of the vast number of new objections that have been nd to the whole raised. The gentleman from Virginia [Mr. Ancu-Ea] says: "Discovery was not one of the titles to the case as pre. authority to be found in the Constitution for the

'acquisition of territory;" and that we had, by the Constitution, the power of acquiring territory by treaty only, and discovery was no evidence of a treaty-making faculty. If this objection was well taken, it was conclusive against our title by our own discoveries, explorations, and settlement, of Oregon, and one that has never occurred to the British Government. I will not argue such a question, that we cannot acquire territory by discovery, for it is an underiable incident of sovereignty: such a construction would render our Government a laughing-stock to the world. I might add twenty other similar new objections that have never before been made from any quarter, but I leave them; and I doubt whether gentlemen will be able to satisfy the American people that such arguments are admissible, or proper in the mouths of American Senators: they legitimately belong to the British Parliament only.

The subject of war had been introduced here, and reasons have been given for supposing that notice may lead to war. Of this I do not complain. But there has been one thing introduced here, which is totally inexcusable. We have had most glowing descriptions of the horrors and devastations of war. Great eloquence has been displayed in all this; but the question is, cui bono? What good purpose is to be effected by it? Can gentlemen expect by this to influence any member of this Senate? Surely not. Can it be in order to " prepare the hearts of the people" for peace !-- to alarm the fears of the American people? If these are not the objects aimed at, then I cannot understand why these descriptions are introduced at all. I consider it as all

There was another thing to which I must also object. A resolution was introduced by the Senator from Delaware, [Mr. J. M. CLAYTON,] calling on the Secretary of the Navy to lay before the Senate the naval force of all the nations of Europe, and of the world. The Secretary complied with the call, and I beg leave to read the British force:

NAVAL FORCE OF GREAT BRITAIN.

Chass of suips.		OMMIN			ogni-	Total ships.	
	No.	Guns.	No.	Guns.	No.	Guns.	Tota
Ships of the line	17	1,570	23	2,124	75	6,258	11!
Frigates	32	1,145	15	498	73	3,066	190
Schooners, eut- ters, tenders, and	71	356	21	305	40	521	135
ketches	33	66	-		6	18	35
Steam frigates	6	60	19	150	4	40	2
Steam sloops	54	270	19 20	100	6	30	34 24 24
Steam packets	21	42	3	6	-	-	24
Other steamers Transports and	9	18	6	12	-	-	15
troop ships Receiving ships, coast guards, and other non-effec- tive versets; as coal depôts, con-	5	70	-	-	-	-	5
vict hulks, &c., employed in ser- vice connected with the navy	84	†485	-			-	84
Total	339	4,583	100	3,165	204	9,933	636

From the Navy List of January, 1846.

Nominal armament.

North-	The official list	numbers 6	7t vessets, but	names
Number Do	of vessels in the armed, 17,681 guns of men employed i boys do	in the navy do	, 1845-143 do	27,500 2,000
Do	marines do	do	do	10,500
	Total			10,000
Indian Sloops Brigs Schooner	navy, 1844—{ Engl			rnal]— i guns.
Bteamers	22 1	noanting	60	44
Т	otal3i			
Do Do " Contrac	amers of all classes in the reven in the India it mail steamers." for war purps	ne service. n navy nder the e	glish navy	1 23
	lotal effective stea			

### EAST INDIA MAIL STEAMERS.

In this service there are nine steamers, averaging 823 tons, mounting three guns each, (32 and 36-pounders,) showing a total number of 922 officers

I now refer you to the American naval force, and it makes, I confess, but a small show by the side of

NAVAL FORCE OF THE UNITED STATES."

CLASS OF SHIPS.		COM-			ORDI- ARY.	
	No.	Guns.	No.	Guns.	No.	Guns.
Ships of the line	4	374	5	490	2	164
Frigates and razees	7	374	3	150	5	200
Sloops of war	15	314	2	40	6	120
Brigs of war	6	60	-	-	2	20
Steamers of war		2:1	1	4	3	12
Schooners	ı	10				
and storeships	п		-	-	ı	
Aggregate	47	1,155	it	614	19	576

Total number of Government vessels, of all classes, 77.

Of the four line-of battle ships marked as in commission, one only is at sea. The other three are used as receiving ships. Of the five marked as building, one is at Sackett's Harber. Of the steamers, one of the three in the column of "ardinary" is for harbor defence. The other is a steam tug.

Now, sir, although the gentleman called for this information while the bill for an increase of our navy was pending, it was during the pendency of the Oregon question also, and supporting the views presented in his speech: and with what object was this display made? Was it "to prepare the hearts of the people" for peace by alarming their fears? It was not needed by us, but it may be very useful as a political instrument. This comparative strength of Great Britain may be trumpeted forth.

to the people to compel a peace. I hold that the whole proceeding is wrong. If we have rights, (and who doubts them,) we are not to be terrified from enforcing them by such a parade of the power of the British empire. If not only Great B itain but the whole world were arrayed against us, I hold, that although they might greatly injure, they could not conquer, and ought not to be permitted to deter us from enforcing all our just rights. do not say this in a boasting spirit. I refer to our position—our geographical position—our remoteness from Europe-and our vast resources in men and material; and we may proudly challenge a contest with the world in arms against us without ultimate danger to our free institutions. But if the case were otherwise, would it furnish any reason why this Senate should forbear from claiming, to their full extent, the just rights of this nation? dence, indeed, might induce delay, but that is all it should do. Tell us, as if we were children, about the horrors of war! Why, what man of the least reflection does not know that war in the greatest curse, and peace the greatest blessing that nations know? Why, then, these fine poetical harangues, and these rhetorical pictures of the horrors of the battle-field, of the blood, earnage, and devastation that war may occasion? But the Senator from South Carolina [Mr. CALHOUN] went even further than this. He not only treated us to some pictures of bloodshed, but he mentioned the effect of war upon the finances of the country; and, according to his calculation, we were to be left with a debt of some seven or eight hundred millions: we must raise two hundred thousand men, and keep them in constant pay; and have seven armies and two navies; and when the fight was over, after ten years' foreign war, we were to encounter civil war, to have some half a dozen military chieftains fighting for ascendency and the presidential chair. cannot agree with the Senator that we are in any such danger. I believe we never shall have anything to fear from "military chieftains" till our whole national character shall be changed-never till the American people shall have become enervated by luxury, and reduced, through the cor-ruption of the whole mass of our people, to such degradation that we shall no longer deserve to enjoy the blessings of liberty and freedom, purchased and consecrated by the glorious deeds of our sainted fathers of the Revolution; then, and then only, shall we have cause to fear the inglerious contests for supremacy among our " military chieftains," so eloquently described by the gentleman from South Carolina. We have already passed through two wars, and a Washington and a Jackson—the military chieflains of those wars—have each occupied the presidential chair (without fighting for it) by the free and unpurchased votes of millions of freemen.

I beg leave, Mr. President, with a view of counteracting the false impressions that are thus endeavored to be made upon our fears, to present a different picture, the results shown by our census, exhibiting the number of free white males at the end of this year, and our annual increase. I exini.' this, prepared in the Secretary's office at my remest, to show that our present numbers, with the annual increase, present results that have no parallel in the world.

From th " In 1830, 7,949,434—⊪I cent. per ant same ratio f the end of th an average a progressive e per cent. for tu double, a in the last 9,09H,487-nt cent, of who the age of t attaining 18 enormous no

Mr. Pre every othe nothing to the whole enables the that, for d every eme fears alarn against it Governme command which, wh steam, wo number ti modern tir immense f for foreign ability to

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Official documents, January, 1846.

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a view of counhat are thus enars, to present a n by our census, hite males at the increase. lexry's office at my t numbers, with its that have no

From this statement it appears that-

From this statement it appears that—
"In 1839, we had of white males 5,355,133, and in 1840, 7,340,454—showing an average increase of about 3.54 per cent per annum. Supposing the increase to continue the same ratio from 1840 to 1846, inclusive, we should have at the end of that year 8,345,225. The foregoing is based upon an average annual increase of the first tein years; but, as the progressive or geometrical ratio was greater, say about 4.32 per cent. for the period in which our population is supposed to double, a calculation faunded on that ratio would give, in the last six years, an increase of 1,870,033, or a total of 9,084,847—abtording 836 births of males per day, 48 per cent. of whom, agreenby to the bilts of mortality, attain the age of 18 years, and thus the daily increase of males attaining 18 years and thus the daily increase of males attaining 18 years of age would be 412, and making the commons addition of 146,280 annually, capable of bearing arms."

Mr. President, you may examine the census of every other nation on the face of the earth, and find nothing to compare with this. In this country, the whole community having arms in . beir hands, enables the Government to raise a physical power that, for defence, would be adequate to any and every emergency. Is such a nation to have their fears alarmed by any force that can be brought against it by sea or by land? No, sir, no. This Government, on any emergency, can thus easily command the services of a body of fighting men which, when brought together by the power of steam, would constitute an army far exceeding in number that with which the great captain of modern times invaded the Russian empire. This immense force is wanted for defence only, and not for foreign conquests; all we require in war is the ability to defend ourselves.

In contrast with this, allow me for one moment very briefly to refer to the position and military strength of Great Britain, and her necessities for its use, and see whether she has such a power to her command as can justly be held up in terrorem over us, and to which we have been so often re-

ferred in this debate.

She has her subjects scattered over the whole extent of the habitable globe, and nearly all of them kept in subjection by the power of her army and navy. She dare not trust arms in the hands of her subjects; and it requires nearly the whole of her disposable military force to keep the peace, to hold her own people in subjection to her monarchical Government. Is not this true now? Has it not been true for the last century? Were it not for her military force, how long would the immense empire in the East Indies remain a dependency on England? How long would down-trodden Ireland continue in the abject slavery she now en-dures so impatiently? How long would the star-ving population of even England herself remain as they now are-dying for want of food and the necessaries of life?

The first act of the British Government towards removing her army from India, would deal a mortal blow to her supremacy and authority there; and the millions now kept in abject slavery, would then strike for freedom and emancipation from the iron rule of despotic power, and soon efface and utterly destroy every vestige of British domination under which they have suffered for centuries all the degradation and misery that English cupidity, avarice, and tyranny could inflict on an unoffending people. And Ireland-brave and generous Irelandhow much longer would she remain a dependencyhow much longer suffer the galling tyranny of the

British Government? Not a moment longer, air, than it would require to call a parliament of her own, and take her rank as one of the independent nations of the world. She would loathe and spurn any connexion with haughty, overbearing England, that has so long contemned, enslaved, and bowed her sons to the dust,

And look at old England herself: the whole nower of the Government in the hands of the few. and the many-the masses-ground to the dust by arbitrary, unjust, and iniquitous laws, by which even the absolute necessaries of life are scarcely attainable by a large portion of her people, and the food of man itself rendered, by their iniquitous laws, too dear to be purchased by her thousands, solely to increase the enormous wealth of the few hundreds that own the land of the country. How long would such a population, thus oppressed, continue to suffer, to starve, to die, from want and misery, were the power of her military force diminished materially or withdrawn?

Sir, not a month would be suffered to pass, ere the oppressed masses of her people would rise in their majesty, and call their rulers to an awful account for the oppressions under which they have so long suffered. Sir, they would abolish the ex-actions of the landlord, destroy her overbearing aristocracy, and keep up with the spirit of the age, and establish our great democratic principle, that "all men are born free and equal," and thus produce a revolution in her existing Government that would materially change the destinies of a large proportion of the inhabitants of the world.

The British empire—that most imperial Government of fragments, surrounding the entire globe, and divided, as has been well remarked in this chomber, into "seventy-two different parts, separated from each other by water"—requires a military force to preserve her supremacy, and to keep the people in subjection in each and every one of those parcels of her empire. We, on the other hand, suffer no standing army, require no armed force to protect our Government against the people. Our Government has its foundation in the hearts and affections of the whole mass of our citizens, and each man here feels that he forms a part of the Government itself, and that on him rests a portion of the sovereign power of the people. Thus Great Britain can never command a disposable force on this continent, three thousand miles from her resources, sufficient to cope with our immense disposable means. She dare not withdraw any considerable part of her army from their present employment, of guarding and protecting her Gov-eramont against her own citizens, and preserving dominion over the fragments of her empire, scattered in every part of the habitable globe, and con-quered from nearly every other nation in the world, and held by the power of the sword alone.

True, she may injure our commerce greatly; though it may well be doubted whether she would not suffer in her own commerce far greater injury and loss than she could inflict on ours. I then repent, it is idle to address our fears. Let us pursue the even tenor of our way, do justice to all, "de-mand nothing but what is right, and submit to nothing that is wrong," regardless of the power and threats of even England herself, so often denominated "the most powerful nation of the

world." We have no cause to fear her, or any combination she may form. With near two millions of men with arms in their hands, and an annual increase of nearly one hundred and fifty thousand, we may well thank Heaven for having thus placed our safety and destiny in our own

hands and in our own keeping.

I trust, then, every attempt to operate upon the fears of the American people will prove abortive. Who will doubt, with such means at command, that we can successfully protect ourselves against the assaults of, not Great Britain only, but of all the civilized world? Although fully sensible of our strength—our ability to protect ourselves—yet I am an advocate for peace. I am for applying the golden rule of "doing to others as we would that others should do to us;" which doubtless applies with as much force to nations as to individuals. But, sir, I doubt whether a nation-even a Christian nation-can literally apply to herself the Scriptural injunction, "Wheever shall smite thee on the right cheek, turn to him the other also." Acting under such an injunction, we should soon exchange the blessings of freedom and independence, for slavery, degradation, and infamy. Whoever, then, desires to press upon us as a Christian nation an obligation to avoid war, I would especially refer to the Christian, philanthropic, English nation, the sole aggressors, and to whom alone their homilies can properly and appropriately apply.

Although, Mr. President, I do not believe that in this discussion it was proper to investigate the extent of our title to Oregon, as all will agree that we have a title to some portion of it, and all, therefore, ought to be willing to go for the notice; yet as nearly every one has investigated the title who has preceded me in this debate, I shall detain you a short time in a similar research, and will endeaver to avoid the beaten track, in presenting my views, as

far as practicable.

I have said that Great Britain now depends on the Nootka convention for the whole ground of her title to Oregon. She has placed her reliance on that convention, and I say that thereby she has committed a suicidal act. If she depends for her entire claim on the treaty of Nootka Sound, and avows this before the world, then I insist that she destroys every shadow and vestige of claim that she ever had to any part of the territory.

And here let me again refer to the statement of the honorable Senator from Virginia, [Mr. Arcu-ER.] That gentleman seems to suppose, that even could we succeed in driving England from her claim on the Nootka convention, she has still other elaims to which she may resort. Allow me to

read a short extract from his speech:

"The language of the English commissioners in 1826 was, that if the constitution classes were the summer that if the constitution classes with Spain had not been spained and precession definitively set at rest by the signature of that convention, notified when the signature of that convention, nothing would be more easy that the demonstrate that the claims of Great Britain to that countries that the claims of Great Britain to that countries that the claims of Great Britain to that countries the signature of the sign try, as opposed to those of Spaio, were so far from visionary or arbitrarily assumed, that they established MOSE THAN ary or arbitrarily assumed, that they established more than A PARTY of TITLE to the possession of the country in question, either as against Spain or any other nation.' They add, that the rights of Great Hirdin are 'recorded and defined in the concention.' They speak of them as 'facel,' never as created, by the convention; treating this instrument as evidence of a recognition of these pretensions, never as importing any grant or institution of them."

If the honorable Senator had but read the next

sentence, he would have seen that the declaration of the British negotiator was a mere idle boast. she had not parted with her claim, she would doubtless still have retained it, such as it was. If a man had not given a deed for his farm, and vested a fec-simple title in the purchaser, he doubtless might have still owned it; and if Great Britain had tiot parted with her claim of title to Spain, she might still have retained it—that is all. Unfortunately for her, she did part with the title, and she has now none to urge. Let me read to the Senator the sentence to which I refer:

"Whatever that title may have been, however, either on the part of Great Britain, or on the part of Spain, prior to the convention of 1790, it was from thenceforward no lon-ger to be traced in vague narratives of discoveries, several of them admitted to be approrphal, but in the test and stipu-lations of that convention itself."

Thus she is estopped. She cannot go behind her own deed to find and set up title. I do apprehend that the position taken by the Senator from Virginia is wholly untenable. The title of England was "fixed" by the Nootka convention as firmly as if it had been bought with money. I refer to the whole diplomatic correspondence respecting Oregon, from 1826 till now, for proof that her whole claim, from the very commencement, has rested on this; and that she has abandoned all previous title, resting on and "limited" by that convention

What were the respective claims of Great Britain and of Spain in 1790? What claim did Great Britain then advance? Her only grounds of reliance were the discovery of Cook, and a pretended purchase of an Indian chief, for she wholly abandoned all pretensions on the ground of what had been done by the freehoeter Drake. claimed on Cook's discovery, and on some alleged purchase from a certain Indian chief. This was

her claim, and nothing more. Yet I claim, and can easily prove, that Spain discovered the coast before, and I might also admit, for argument sake, that the basis of mere discovery, without subsequent settlement, is valueless, and therefore Great Britain's right to all explorations previous to 1790, have superseded the Spanish right from discovery, if she had followed up these explorations by settlement. But did she do it? Not at all. She made no settlements, but only followed out the Spanish discovery, by a more minute investigation and survey of the coasts and This, I insist, could not abrogate the previous claims of Spain, from discovery. Spain never abandoned that claim; she had the inchoate right from discovery, and might at any time complete that right by actual settlement; but neither she nor Great Britain did this, save that Spain had a small settlement at Nootka, and occupied it. This Great Britain endeavored to take from her. but the Spanish Governor bravely resisted and successfully repelled her attack. What happened after this? Great Britain demanded satisfaction from Spain for the insult to her flag, but the result was, hat Spain never did recognise any preexisting right on the part of Great Britain to territory on the Northwest coast. Nor did any other nation recognise it. The Nootka convention was a concession made by a sovereign Power, having a right to the whole coast in which she permitted Great Britain to come there and trade and fish.

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Under w at the cann from Spain from the U is no Sena sooner dra bard, than rights at th tamely dor not yet he a construc have caref placed my be in error what resp production tiators was ain has th she has de had; and conventior with the and the U Britain wa on her gr grant may it was at t for more t stance we good, let article of

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This was the whole amount of that treaty. aver, therefore, that, in 1790, Great Britain had not the shadow of a claim to any portion of Oregon. If she put her pretension on the right of discovery, Spain had discovered the country before her; if she put it on the fact of settlement, she had made no settlement, but Spain had at Nootka.

Under what circumstances were that convention made? Freely, or by coercion? It was obtained at the cannon's mouth. She obtained a concession from Spain in a way she never will obtain any from the United States; for sure I am that there is no Senator here who will not say that he would sooner draw the sword, and throw away the scabbard, than think, for one moment, of yielding up rights at the mouth of the British cannon, as was tamely done by the Government of Spain. I have not yet heard any attempt, in this debate, to give a construction of the grounds of that treaty. I have carefully examined its terms, and I have placed my own construction upon them. I may be in error, but I have been unable to discover in what respect. If I am right, then I say that the production of that convention by the British negotiators was a suicidal act. I say that Great British ain has thereby placed herself in a position where she has defeated every claim she ever could have had; and I infer this from taking in connexion the convention of Nootka, between England and Sonin, with the convention of 1827, between England and the United States. The whole object of Great Britain was to do away the claim set up by Spain on her grant from the Pope. However such a grant may now be ridiculed, the title derived from it was at that time good and valid-never disputed, for more than two hundred years; which circumstance was, of itself, sufficient to make the title good, let its origin be what it might. The third article of the Nootka convention is in these words:

"Art. 3. In order to strengthen, the bonds of friendship, and to preserve in future a perfect larmony and good understanding between the two contracting parties, it is agreed that their respective subjects shall not be disturbed or molested either in mayigating or carrying on their fisheries in the Pacific Ocean or in the South Seas, or in landing on the coast of those seas in places not already occupied, for the purpose of carrying on their connucre." "the natives of the country, or of making settlements re—the whole subject, nevertheless, to the restrictions specified in the three following articles." "ART. 3. In order to strengthen the bonds of friendship,

Now, what was the object in agreeing to this article? Spain had had possession of the country for two or three centuries, and there was then a controversy between the two nations, arising from the fact that England had molested her in this possession. Spain, in this article, says that English subjects might come there for purposes of hunting, fishing, and trade, and might make settlements: but the settlements referred to, are obviously such as might be necessary to further these objects, and none other. To take the word "settlements" as here used in its ordinary and general acceptation, would be to defeat all the rest of the article;-that, at least, is my construction of it. I apprehend that treaties between nations are to be interpreted by the rules of common sense. It is then added, that all the provisions in this article are to be held subject to the restrictions contained in the three following articles, viz: 4th, 5th, and 6th. Now, if we look at the 5th article, we shall see that these settlements are those subjected to the restriction, that

I they must be north "of places already occupied by Spain." Spain then occupied Nootka, and all British settlements are here confined to the const above Nootka. But for this, Great Britain might have claimed the right of making settlements as far south as Mexico, provided she could have found one vacant spot on all that coast. This, I say, is a lawver's construction of this instrument. The a lawyer's construction of this instrument. 5th article is in these words:

"ART. 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 northwestern coasts of North America, or other parts of the northwestern coasts of North America, or of the islands adjacent, situate to the north 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, 1780, or shall hereafter make any, the subjects of the other shall have free access, and shall earry on their trade without any disturbance or molestation."

Now, where was the most northerly point occupied by Spain? It was unquestionably at Nootka; for when Vancouver came back, he found at that place ten houses, in the possession of Spanish occupants. He very modestly claimed the whole as belonging to Great Britain; but the Spanish commandant utterly repudiated any such claim, and offered to restore to him a little spot on the beach at Friendly Cove, (about a quarter of an acre,) where Meares had erected two little huts. Vancouver contended that the most northerly settlement of Spain was far below, at the Bay of San Francisco; but the fact was the reverse. It was at Nootka; and that settlement was never restored. Although Great Britain prepared an armament which cost her fifteen millions of dollars, she never got it back from Spain. If it over was surrendered to her, the proof of such surrender would have been in her archives, and she could have produced it; but this she never did, and the affair was suf-fered to drop. Nor is this surprising. The rea-son for it is plain and obvious. England became involved in the wars of the French Revolution, and she actually forgot Nootka and the Nootka convention for thirty-four years, until reminded of it by Mr. Rush in 1824.

I have made the assertion that the intentions of the parties are to be gathered from the instrument itself-from a fair construction of its terms; but that position may be strengthened by the cotemporaneous exposition by the parties. We can show that the British Parliament itself gave to the trenty this construction. In the debates in the British Parliament, we find this convention spoken of as unworthy of England, and, in fact, literally sneered at. This is a matter of history; and is it to be supposed that, had the statesmen of that time any notion of the value to them of that convention, which is now attached to it, they would have allowed the representations which were made in Parliament to go forth to the world uncontradicted? I cannot imagine such a thing. It is incomprehensible, and no man can believe it. Let me refer to this matter for a moment. The Duke of Montrose, in the House of Lords, on the occasion of a vote of thanks being proposed to the King for the

negotiation of the convention, says:

"We are not only restored to Nootka, but we may parti-cipate in a more northern settlement, if we should find at any time that a more northern situation would be preferable for the carrying on of the trade."—Partiamentary History, vol. 28, p. 934.

This is the language of an individual who was

in favor of the Government; and, from what he says, it is clear he did not believe a word of the sentiments now advanced by the British Minister. After looking well into the matter, after consulting all sources of information, having the best opportunity of hearing all that could be said in relation to the claims of Great Britain, he contents himself with saying that they had acquired the right of settlement north of Nootka Sound.

In the House of Commons, Mr. Fox said:

"He was as much a friend to the claims of Spain, sanctioned by the treaty of Utrecht, as Count Florida Illanea, or any Spanish Minister, because they were founded in justice. Those were, an exclusive right of lerritory, anvigation, and commerce, on the seas and coards of Spanish America. The absurd and extravagant claims arose from extending the term Spanish America, to seas and coards where Spain had no right of occupancy. To what did we object before, but to the indefinite limits of Spanish America verifical? The objection still remained; for the limits of Spanish America were still undefined."—p. 991.

Following up the same argument, he adds:

"Where our admitted right of settlement on the northwest coast commenced was completely undefined. If it was said at Nootka, we did not know that Nootka would be restored."—Ibid.

And again:

"Thus we had given up all right to settle, except for temporary purposes, to the south of the Spanish settlements, or in the intervols between them, if they happened to be distant. We had obtained an admission of our right to settle to the north, and even that we had not obtained with elearness. As Spanish settlements were the only mark of limits, suppose we were to meet with one further to the outh than we expected, and a dispute were to arise, whether it was new or old, it would be some difficulty to send out our builders to decide," &c.—p. 935.

Mr. Fox was, it is admitted, the leader of the Oppostion in Parliament, and was complaining of and objecting to the Nootka convention; but did Mr. Pitt, the then Prime Minister, controvert be positions taken by his talented opponent? Did at member of the British Cabinet? Were the positions controverted by any one during the debate? No, sir, not a word of it. Mr. Pitt, in his response, only claimed that they had additional facilities for their fisheries, had a temporary use of the territory north of Nootka for hunting and trading with the natives, and the erection of temporary huts in furtherance of those objects. He says:

"If they had acquired no territorial rights, they had gained some advantages they did not before possess."

I believe this is perfectly conclusive, and shows now this convention was understood at the time. It always appeared to me, Mr. President, that the views taken by the British Minister were suicidal of the claims of Great Britain. Mr. Pakenham has said this convention is in force up to the present time. But let me ask, if it is in force, how does it happen that she never claimed under it the country down to the bay of San Francisco? How does it happen, that Great Britain, who has shown it her constant purpose to lay hold of every foot of this earth she can, has never claimed as far as the bay of San Francisco? Why, she felt she had no right; and if she has ever done so since, it was altogether an afterthought, for the purpose of opposing our claims. Nothing else can account for it. Great Britain slept over her absurd claim for more than thirty years, and until she found it necessary to adduce new and more plausible arguments to sustain her unfounded pretensions, and endeavor to rebut and weaken the "irrefragable facts and argu-

ments" by which our American rights were demonstrated, and she was driven to claim under the Nootka convention, because she had nothing else to bring forward—nothing else to rely on.

I will not go through the argument, as the Secretary of State has done, to show that the convention was terminated by the war. It is not needed to sustain my argument. But the exposition of Great Britain herself shows that the convention was en'ed by the war of 1796. What does Mr. Pakenham say on this point? His ground is, that there are some national rights which survive a war; but he has not pointed them out. He says the treaty was revived in 1814; but I contend, that if it ever was dead, it could not be revived by the treaty of 1814, because there were other parties then besides Great Britain and Spain who had claims on the coast as well as themselves. We were actually in possession of the country at the time, and could not be put out by the revival of the Nootka convention.

There is one argument not used by Mr. Buchanan, or any one else that I have seen, which I consider as having great force. If the Nootka convention is still in force, what became of it in our own convention of 1827? In 1818, we were not in pressession of the Spanish title; but when it was renewed in 1827, we had then all the rights of Spanis, including sovereignty, the eminent domain, and all the rights she had under the Nootka convention. If, then, the convention is in force at this hour, how is it possible this was not included in the convention of 1827? It was; and Great Britain and the United States owned all the claims to Oregon which were then in existence; all her rights under the Nootka convention were "limited" to joint occupancy with Spain—Spain puts us in her shoes. When the convention for joint occupancy is terminated, England goes back to her original rights. Rights to what? To joint occupancy? For be it the world Spain ellipse desired.

bserved, England abandoned to Spain all her claims , or to 1790, on entering into the Nootka convention, and declares to the world that her whole claim or pretension is "limited" to a joint occupancy with Spain, and her right is only to be found in "the text and stipulations" of that convention; and Spain having, on the 22d of July, 1819, transfer-red her rights to us, England has a joint occupancy with us by the convention of 1827, by the 3d article of which it is agreed, that nothing in the convention " shall be construed to impair, er in any manner 'affect, the claims which either of the contracting 'parties may have to any part of the country west-'ward of the Stony or Rocky Mountains.'' Now, then, pray what are her "claims," which are not "affected" or "impaired"? She has none whatever but that of "joint occupancy" under the Nootka convention, which was merged in the convention of 1827, and thus the termination of her "joint occu-pancy" would not "affect" or "impair" her "joint occupancy." This is a contradiction in terms, and shows that the only claims that are not "affected" or "impaired," must be those of sovereignty, eminent domain, or title of some kind; not one of which does she possess, or even claim. This may be called "chopping logic" by gentlemen on the other side of the chamber; if it is, let them show how Great Britain can escape the conclusion. I think the inference irresistible, and that the "quod erat demonstrandum" of the mathematician might

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and legitimately applied to it, and that she has no ust claim, by her own showing, to one foot of teritory west of the Rocky Mountains. She has completely tripped up her own heels, and thrown berself out of all shadow of claim below, or even shove, the magical line of 540 40'-and that we ossess, if not a perfect, undoubtedly the best title n existence to the whole.

I pray you to observe, Mr. President, that, if the Nootka Sound convention is in force, as laimed by the British Minister, then Great Britain could have done no act during its exist-ence to vest any exclusive right in herself. Vanconver's exploration of the Columbia river in 1799, and taking possession in the name of the King of England, was a void act on his part, and in violation of the "text and stipulations" of the Nootka convention; and instead of claiming under it, as the British Government have modestly done, they ought at the time to have enshiered Vancouver, and dismissed him from her service, for thus rampling upon the good faith of the British naion. The exploration of Mackenzie, and the setements subsequently made in that territory, on Frazer's river and elsewhere, cannot be claimed s giving exclusive rights to Great Britain. They were made solely under that convention, and under which she can claim no exclusive right for herself. And allow me to observe, in addition, that the

3d article of the treaty between the United States and Great Britain, of 20th October, 1818, applies b "any country that may be claimed by either party on the northwest coast of America, westward of the Stony Mountains;" and thus includes the whole country from latitude 42° to the Rus-ian possessions in latitude 54° 40', and all the reion east of the Russian possessions and west of the Rocky Mountains—the Russian line going through Portland channel to latitude 56°, and sence a line parallel to the coast ten marine leagues therefrom to 141st degree of longitude, and in that meridian to the Frozen ocean. All which northern region is included within the conventions of 1818 and 1827, and which I have never seen any refernce to in any speech delivered; and yet it is manifest our joint occupancy extends to the whole, and the rights of each to every part is to be deter-nined whenever a division of territorial rights shall be made.

I cannot, Mr. President, permit myself to pass unnoticed the title which we have to the country drained by the waters of the Columbia, by the exertion and enterprise of our own citizens-acquired by our own discovery, exploration, and settlement. If a bare, naked discovery is not deemed sufficient, we do not depend upon that alone. That Captain Gray discovered the Columbia river before any British subject had seen it, is now conceded even by England herself; and that Mr. Jefferson first had the river explored by Lewis and Clarke, in 1805-6, and shortly afterwards published their doings, and thus publicly proclaimed to the world our intention to occupy and settle that country, re matters of history, as well known to the British Government as our own. We subsequently (in 1809, 1810, and 1811, and prior to any other settleent) made the settlement of Astoria, at the mouth of the Columbia river, and also established a post on the Okanagan, Fix hundred miles up the river;

another at the mouth of the Spokan, fifty miles higher up; and others on the Kooskooskee and Willamette rivers; and (although the Nootka convention is claimed by England to have been then in full force, by which she sets up a pretence to a right of joint occupancy over that whole region) without a whisper of remonstrance or objection on her part. Our hands were untied then—no convention controlled us; we claimed a right by virtue of our purchase of Louisiana, whether rightfully or not, I do not deem it necessary for my present argument to mquire. If any nation had a right to object, it was Spain, and Spain alone; and she did not object. I claim, then, that our right to the country drained by the waters of the Columbia, founded on our own discovery, exploration, and settlement, was complete and perfect, agreeably to the most stringent requisitions of the law of nations, consecrated by the universal practice of all nations, in relation to the American continent; and this view Great Britain herself has fully recognised, and by her acts fully acknowledged our title. We were thus in possession of the valley of the Columbia at the commencement of the late war; and during that war our possessions were captured, and passed into the hands of Great Britain. By the treaty of Ghent, "all territories, places, and possessions whatsoever, taken by either party from the other during the war, &c., shall be restored without delay." Our Government demanded, after the restoration of peace, that those possessions should be restored. After some negotiation, and some delay, the whole was restored to us-an account of which I ask the indulgence of the Senate to read:

indulgence of the Senate to read!

"Mr. Bagot [the British Plenlpotentlary at Washington] at the same time communicated the circumstances to his Government, and they became the subject of discussion between Lord Castleragh, the British Secretary of Foreig. Affairs, and Mr. Rush, the American Plenlpotentiary at London. Lord Castlerengh proposed that the question respecting the claim to the post on the Columbia should be referred to commissioners, as many other disputed points had been, agreently to the treaty of Ghent; to which Mr. Rush objected, for the simple reasons that the spot was in the possession of the Americans before the war; that it fell, by beligorent capture, line the hands of the British during the war; and that 'under a treaty which stipulated the mutant resituation of all places reduced by the arns of either party, the right of the United States to immediate and full repossession could not be impagned."

"The British Secretary, upon this, admitted the right of the

party, the right of the United States to immediate and full represensation could not be impagned.

"The British Secretary, upon this, admitted the right of the Americans to be reinstated, and to be the party in possession while treating on the title; though he regretted that the Government of the United States should have employed means to obtain resituation which might lead to difficulties.

"Mr. Rush had no apprehensions of that kind; and itwas finally agreed that the post should be restored to the Americans, and that the question of title to the territory should be discussed in the negotiation as to limits and other matters which was soon to be commenced. Lord Buthurst, the British Secretary for the Colonies, accordingly sent to the agents of the Northwest Company at the mouth of the Columbia a despatch, directing them to afford she fieldings for the rececupation of the post at that point by the Americans; and an order to the same effect was also sent from the Admiratty to the commander of the British naval forces in the Pecific."

The rights of the parties, a regard to the possession.

The rights of the parties in regard to the possession of the country having thus been adjusted and defined, the restoration was accordingly made, as the following official documents will show:

"In obedence to the command of his Royal Highness the Prince Regent, signified in a despatch from the right honor-able the Earl Batturst, addressed to the partners a ragories of the Northwest Company, bearing date the 27th of Jan-uary, 1818, and in obedience to a subsequent order dated

the 25th of July, from W. H. Sheriff, P.sq., captain of his Majesty's ship Andromache, e.g. the undersigned, do, in conformally to the first article of the treat yet of Chient, restore to the Government of the United States, through its agent, J. B. Prevork, Pair, the extlement of For Goverge, on the Co. lumbia river

"Given under our hands, in triplicate, at Fort George, (Columbia river,) this 6th day of October, 1818.
"F. HICKEY,

"Ouptain of his Majesty's ship Blossom.
"J. KEITH,

" Of the Northwest Company,"

The acceptance on the part of the United States is in these words:

"I do hereby acknowledge to have this day received, in behalf of the Government of the United States, the possession of the settlement designates usure in a article of the treaty of Ghent.

""Given under my hand, in triplicate, at Fort George, (Columbia river,) this 6th day of October, 1818.

"J. B. PREVOST, and Section 19 of Columbia Columbia Columbia." of the settlement designated above, in conformity to the first

" Agent of the United States." On the consummation of these acts of the restoration of the valley of the Columbia river, in conformity with the treaty of Ghent, and the acknowledgment of our right "to be the party in possession while treating on the title," Mr. Greenhow remarks:

"The British flag was then formally lowered, and that of the United States having been holied in its stead over the fort, was said tell by the Blo-ome.

"The documents citch—the only ones which passed between the commissioners on the occasion—are sufficient to show that no reservation or exception was made on the part of Great British, can that the vestoration of shoria to the United States was complete and unconditional."

These transactions occurred in the year 1818, and in the month of October, being the same year and month in which the convention of joint occu-

pancy was entered into.

And to show the view entertained by our own Government of this surrender, I beg leave to read from the instructions of Mr. Cley, when Secretary of State, to Mr. Gallatin, our Minister to England, dated 19th June, 1826:

"It was stated by the British Plenipotentiaries to Mr. Rush, that the surrender to the United States of the post at the mouth of Columbia river was in fulfilment of the stipuhations of the first stricle of the treaty of Ghent, without affecting questions of right on either side. It is most true that the restoration was in conformity to that article, but that the restoration was in conformity to that article, but there is nothing in the terms of the article which implies may reservation of right on the part of Gerat Britain. And does not the stipulation itself, in virtue of which she was bound to restore it, demonstrate, that at he date of that treaty she had no pretensions to the mouth of Columbia? If she then had any claim, would she have contracted to restore the possession unconditionally, and without even the formality of a reservation of her right? The course which was adopted in regard to another territorial possession, claimed by both parties, was very different. She had reduced, by her arms, Moose Island, in the Bay of Passamaquoddy, as well as the post at Columbia. She refused to restore Moose Island, on the ground of the title which she set up to it, as being included within the limits of Nova Scotls; and the respective littles of both parties were agreed to be into to 1, as being included within the firmts of Nova-Scotts, and the respective titles of both parties were agreed to be referred to a board of commissioners. Now, if, with respect to two possessions, taken by her arms during the war, she agreed to restore one unconditionally, and insisted upon retaining the occupancy of the other, as belonging to her, is not the inference irresistible, that her present claim to the which was so restored did not then exist, but has been subsequently gotten up?"

This established our right fully to the whole valley drained by the waters of the Columbia, and that valley extends to about the latitude of 530 north. I would like to hear the grounds upon which the advocates for the line on the 49th parallel, on the other side of the chamber, and the

few on this, will justify themselves to the American people in thus proposing to give up any por-tion of the valley of the Columbia, thus shown to be ours, without an adverse claim having any just foundation. If we had no other title or claim, our own would be full and conclusive to latitude 530.

The President, having made an offer to settle our boundary on the parallel of 490, "in deference alone to what had been done by his predecessors," it has been gravely claimed in argument here that he is bound by that offer, although withdrawn; the offer having been thrice made by his prede-cessors, in 1818, 1824, and 1826. I cannot agree to this doctrine. All offers of compromise are efforts to buy one's peace, and therefore, under the wise provisions of our law, are not suffered to be adduced as evidence. I fail to see any difference between nations and individuals in this respect. The reason is surely the same. What nation would ever make a proposal or offer of a concession for the sake of peace, if, against her will and consent, it was always binding upon her, accepted or not? The gentleman from Georgia [Mr. Beaales] says this principle cannot apply to nations, because they have no common arbiter. I deem this is no reason whatever. The rule, as applicable to individuals, is not based upon such a consideration, but upon sound policy, to encourage attempts at compromise, and to avoid litigation; and the same reason exists in respect to nations, and with greater force; but nations do now have common arbiters. The opinions and judgment of the civilized world are now those arbiters between nations, and to which all civilized Governments find it necessary to submit. 1 hold, then, that no obligation rested on our Government to fix the boundary on 49°. If the President was bound in honor, as some allege, to have made the offer because similar offers had been made by his predecessors, then the offer made by Mr. Polk was dishonorable, because it did not include the navigation of the Columbia river, as his predecessors had arbiter, with done; for surely, if he was bound in honor at all, that may ar he was bound for the whole. Besides, one of the subjects of t offers of the navigation of the Columbia, made by ternment in v his predecessor, was trammelled with the condition that the river should prove to be navigable where the parallel of 490 struck it; in such contingency to grant the free navigation to England, and leem a que not otherwise. Which offer, then, bound the Pres-park of An not otherwise. Which offer, then, bound the President? The offer of 49°, in 1818, if without the ident? The offer of 49°, in 1818, if without the are that our navigation of the Columbia, was less objectionable, hable to be in because we then had not acquired the Spanish title; since that, it has never been called for by any just regards to our rights or the British claims. The covernment most she ever could have justly asked would have Hudson Bay been a division of the residue of that immense re-gion north of the head waters of the Columbia, gion north of the head waters of the Columbia, daim, we m west of the Rocky Mountains, and up to the Rus-sian line, and east of the Russian possession to the must;" and Frozen Ocean. And although I deny that she has Great Britai shown a shadow of tide to one part of the territory of arrogant to which our Spanish title extended, a fair division of our claims above 53°, as derived from Spain, and Allow me her own, whatever they were north of 61°, thrown convention of into hotchpot by our convention of 1818 and 1827, tion of 1827 would give us all up at least to 54° 40', if not far Senate to re beyond.

giving the n provided for afford no jus is a peace m of the cour measure tha s setting str doubtless ye sons of the and flocks a to Oregon, a it; and settl lich subjects and servant dotted the w and trading sion, and he over the cou only in term all within British Min for their ow assurance de that have be citizens, une one of her s can expatric evidence to s of a foreign give this not protection t them to go the country them the pi will extend he imagined citizens of pusly togeth o different their respect terously abs without dist bloodshed. era. But, hem? Mos acquiesced i

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" ART. 3. It

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ier title or claim, lusive to latitude n offer to settle s predecessors," ument here that ugh withdrawn; le by his predecompromise are refore, under the ot suffered to be ee any difference in this respect. What nation ffer of a concesinst her will and oon her, accepted eorgia [Mr. BERapply to nations, arbiter. 1 deem rule, as applicaipon such a concy, to encourage avoid litigation; spect to nations, ons do now have and judgment of arbiters between zed Governments old, then, that no nment to fix the ident was bound ve made the offer ade by his prede-Mr. Polk was disclude the navigapredecessors had id in honor at all,

I then, Mr. President, advocate the propriety of giving the notice recommended by the President, provided for in the convention. It can, of itself, afford no just cause of war; on the contrary, sir, it is a peace measure, intended to preserve the peace of the country, and, in my judgment, the only measure that can do so. The tide of emigration is setting strongly into that territory now, and will doubtless yearly increase its volume. The hardy sons of the West, with their wives and children, and flocks and herds, already swarm on the road to Oregon, and are preparing to occupy and settle it; and cettling, too, promiscuously with the Eng-lich subjects already there. The partners, agents, and servants of the Hudson Bay Company have dotted the whole country with their stockade forts and trading posts. They have military posses-sion, and have the British laws already extended over the country, not confined to British subjects only in terms, but apparently intended to include all within the country. (Notwithstanding the British Minister says those laws are intended only for their own subjects.) But, Mr. President, what assurance do we have that she will not claim all that have been born within her dominions as her citizens, under her long asserted principle that no one of her subjects can throw off his allegiance, can expatriate himself. Must our citizens carry evidence to show that they were native born? No, sir, never; and neither will they submit to the laws of a foreign Power. Whether we do or do not give this notice, we are bound to furnish adequate protection to our citizens. We have encouraged them to go there, and the honor and good faith of the country are pledged to protect them; we owe them the protection of the American eagle, and will extend its ægis over them. Then, sir, can it be imagined that the subjects of England, and the citizens of the United States, can live promiscuously together, subject to different laws, amenable to different magistrates, and owing allegiance to their respective Governments, without any common arbiter, with no mode of deciding controversies that may arise between the citizens of one and the that may arise between the citizens of one and the citizens of the splicets of the other? Such a double-headed Government is wholly impracticable; and it is preposit to the troughly absurd to expect that they could thus live to be navigable without disturbance and violence, and eventually bloodshed. If we fail, then, to give the notice, I are to England, and eventually bloodshed. If we fail, then, to give the notice, I deem a quarrel inevitable. No one who has a quarrel inevitable. No one who has a park of American feeling in his bosom, would detent the Spanish title: eres. But, sir, look a little further. Can it be less objectionate, table to be involved in such discussions title; and the Spanish title; ed for by any just magined that our people, already organized into a covernment of their own, will long permit the chairs. The covernment of their own, will long permit the chair which is a covernment of the covernment of the covernment of their own, will long permit the daim, we must give this notice, and have exclusive unique to the Russion to the must;" and at the expiration of twelve months, the the covernment of the covernment of the covernment of the covernment of their own, will cover the covernment of t deny that she has Great Britain will possess no other claim than that

act of the territory of arrogant pretension, already too long tacitly ded, a fair division of from Spain, and Allow me, sir, to refer to the third article of the roth of 61°, thrown of 1818 and 1827, ion of 1827, which I beg the indulgence of the Senate to read:

"ART. 3. It is agreed that any country that may be claim-

ed by either party on the northwest coast of America, west-ward of the Stony Mountains, (now ealled Rocky Mountains,) shell, together with its hutbors, bays, and creeks, and the navigation of all rivers within the same, be free and open, for the term of ten 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 said country, nor shell 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."

Convention between the United States and Great Britain, signed at London, August 6, 1827.

"ART. 1 All the provisions of the third raticle of the convention concluded between the United States of America and his Majesty the King of the United Kingtom o Great Britain and Irchand, on the 20th of October, 1818, shall be, and they not hereby, further indefinitely extended and continued in force, in the same manner as if all the provisions of the said article were herein specifically recited.

"Ant. 2. It shall be competent, however, to either of the contracting parties, in case either should think fit, at any time after the 20th October, 1828, on giving due notice of review position to the volume to the other contracting notes, to annul and

time after the 90th October, 1828, on giving due notice of twelve nouths to the other contracting party, to annul and abrogate this convention; and it shall, in such case, he accordingly entrely annulted and abrogated, after the expiration of the said term of notice.

"ART. 3. Nothing contained in this convention, or in the third nrticle of the convention of the 90th October, 1818, hereby continued in force, shall be construed to impair, or in any manner affect, the claims which either of the contracting parties may have to any part of the country westward of the Stony or Rocky Mountains."

In my legal construction of this language, I cannot see where we get the authority to settle this territory at all, and keep good faith with England, if we consider the convention in force. In 1818 Oregon was a wilderness, and all we then wanted was to have the country, as well as the harbors, bays, and creeks, "free and open" to the subjects of one, and the citizens of the other; and no one had a right to "appropriate" any portion of the country exclusively to his own use; but if the country remains free and open to the citizens of both nations, how can we have a right to send our people, with their wives and children, to occupy and settle it? I do not think that we have such a right, unless we disregard the convention on the ground that it has been already violated by Great Britain; then we may go on and settle it, and build forts, and extend our laws over it, for the convention is abrogated, in fact, at this very hour. But if we hold that it is still in force, how the "masterly-inactivity"scheme of the gentleman from South Carolina [Mr. CAL-HAUN] can be carried out in good faith, I cannot imagine. If the country is, by the terms and spirit of the convention, to be kept "free and open," we have no right to locate there, and close it up with settlements; and I ask whether, in two years from this time, the Willamette valley will be "free and open" to the citizens of one, and the subjects of the other? No, sir, it will all be occupied and settled by the enterprising citizens of the West, to the ex-clusion of British subjects. I do not make this suggestion with a view to prevent emigration. I insist that our people have a full right to go and settle there, because, in fact, the convention has been already nullified by England herself; if not, let us give the notice at once, before they do settle. We owe it to them, and we owe it to the world, and to our own good faith, openly to declare the abrogation of the convention, in order that we may settle the country rightfully.

But, Mr. President, I will not enlarge. I wish for the notice to be given; but I cannot vote for the resolution introduced by the gentleman from Kentucky, [Mr. CRITTENDEN,] for two reasons—first, because it devolves on the President the discretion of giving the notice. I am quite willing to take my share of the responsibility, and not cast it on the President. Congress alone should determine such an important matter, although I have entire confidence in our Chief Magistrate, and have no doubt, if this resolution should pass, he would exercise "his discretion" by giving immediate notice. And the second reason, because this resolution contemplates that the President shall not give the notice till after the expiration of the present session of Congress. I have heard no one suggest the difficulty which presents itself to my mind.

If the President gives the notice, as proposed by this amendment, I can see no reason why the British Minister may not, on the very next day, say to the President: "We do not want the twelve months' notice before the expiration of the convention; the allowance of that interval is intended for the advantage, and as a privilege to us as the party to whom the notice is given, and we can waive the privilege if we choose; we do waive it, and insist that the matter shall stand now as it would stand at the end of twelve months." Suppose the British Minister should insist on this: I want to know how you could avoid it?—how you could claim that the convention should not be abrogated at once, and not be deferred for twelve months? I confess I do not see how it would be possible to guard against such a contingency; and therefore I wish notice to be given while Congress is in session. If war should come, I should not like to be "Copenhagened" at any rate; but if such attempt is to be made, I should choose that Congress should be in session at the time,

And, sir, I cannot vote for the amendment proposed by the Senator from Georgia, not only for the reasons I have urged against the resolutions of the gentleman from Kentucky, [Mr. CRITTENDEN,] but also on account of the second resolution, which I beg the indulgence of the Senate to read:

"Sec. 2. And be it further enacted, That it is earnestly desired that the long-standing controversy respecting limits in the Oregon territory he speedily settled by negodiation and compromise, in order to tranquilitize the public mind, and to preserve the friendly relations of the two countries."

Now, sir, every Senator knows that the recommendation of notice by the President was not made as a war measure, but to preserve the peace of the country; and the Senator, I believe, honestly supposed that his amendment would be a means of carrying out the wishes of the \_.esident. Yet, according to my conception, it will certainly defeat the object the gentleman had in view. If it is sent, in its present form, to the House of Representatives, it will most certainly be rejected there; and

then there will be no notice given, and the ultimate consequences of that will endanger the peace of the two countries. For this notice is the only measure, in my judgment, that can preserve peace. I go for it as a peace measure, though I am ready to use it as a war measure, too, if that shall be needed. If that amendment is carried in this chamber, it will be carried by a small fraction of the Democratic party, with the help of all the Whigs; and then it is sure to be rejected in the other

By referring to the protocol of the sixth conference, in the negotiations of 1844, it will be seen to contain the following declaration by the British

Ministeri

"That he did not feet authorized to enter into discussion respecting the territory north of the 49th parallel of Intitude, which was understood by the British Government to form the basis of negotiation on the side of the United States, as the line of the Columbia formed that on the side of Great Britain."

This language has never been retracted by the British Minister. He says he will not negotiate respecting the country north of 49°; and we say we will not negotiate to settle the boundary on the north bank of the Columbia. While the two Governments stand thus, Congress says that it is our earnest desire to effect a settlement by compromise. But what will compromise be held to mean? One offers 490, the other insists on the Columbia;—a compromise will be a division of the country some-That will be the where between these two lines. fair construction of the term. I know that the Senator from Georgia means no such thing, yet that would be the construction put upon it by the British Minister; and it would be a legitimate construction. And will any Senator consent to pass it under such eireumstances? Will any gentleman put such an instrument into the hands of the British Minister? Does any man here wish to see a compromise on a boundary south of 490? Is there any man who would not rather go to war? I am sure there is not. No gentleman on either side of the chamber would consent to such a result, of even dare to advocate it.

I conclude with expressing my hope that the enate will pass this notice. Whether it shall re-Senate will pass this notice. sult in war or peace, we owe the measure to our-selves and to the country; and I hope it will pass untrammelled by any condition which shall endanger it in the other House. I should prefer the bare, naked notice, as reported from the Committee on Foreign Relations; but rather than send the subject back to the other House again, I will vote for the House resolutions, with the expectation and hope that we shall thus preserve the peace of the country; but if disappointed in this reasonable expectation, and war comes, with the intention of giving it the fullest support in my power, and leave the consequences to Him who holds the destinies

of individuals and nations in His hand.

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