The BRITISH ATTITUDE to the OREGON QUESTION, 1846

by

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* *** *

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in the Department

of

HISTORY

* ** *

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# TABLE of CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preface.</td>
<td>1</td>
</tr>
<tr>
<td>Literature of Oregon question — method of treatment —</td>
<td></td>
</tr>
<tr>
<td>Scope of thesis — sources — attitude.</td>
<td></td>
</tr>
<tr>
<td>Chapter I. — The Restoration of Astoria.</td>
<td>1</td>
</tr>
<tr>
<td>Situation after War of 1812 — establishment and purchase of Astoria —</td>
<td></td>
</tr>
<tr>
<td>Treaty of Ghent — demand for restoration — “Ontario” — restoration —</td>
<td></td>
</tr>
<tr>
<td>reasons for restoration.</td>
<td></td>
</tr>
<tr>
<td>Chapter II. — The Convention of 1818.</td>
<td>21</td>
</tr>
<tr>
<td>British request for negotiation of boundary — negotiations of 1818 —</td>
<td></td>
</tr>
<tr>
<td>criticism of convention.</td>
<td></td>
</tr>
<tr>
<td>Chapter III. — Stratford Canning and John Quincy Adams.</td>
<td>31</td>
</tr>
<tr>
<td>Activity in Congress — first interview — second interview — letter to</td>
<td></td>
</tr>
<tr>
<td>Planta — attitude of Castlereagh.</td>
<td></td>
</tr>
<tr>
<td>Chapter IV. — Canning and the Monroe Doctrine.</td>
<td>44</td>
</tr>
<tr>
<td>Estimate of Canning — birth of Monroe Doctrine — negotiations with</td>
<td></td>
</tr>
<tr>
<td>Russia — discussions of 1824 — Addington’s memoranda — negotiations of</td>
<td></td>
</tr>
<tr>
<td>1826 — convention of 1827.</td>
<td></td>
</tr>
<tr>
<td>Chapter V. — Inaction, 1828 — 1841.</td>
<td>68</td>
</tr>
<tr>
<td>Political situation in Great Britain — Activity in United States —</td>
<td></td>
</tr>
<tr>
<td>missionaries in Oregon — Simpson’s visit.</td>
<td></td>
</tr>
<tr>
<td>Chapter VI. — The Webster-Ashburton Treaty.</td>
<td>75</td>
</tr>
<tr>
<td>Problems of Peel’s administration — Washington Treaty — British</td>
<td></td>
</tr>
<tr>
<td>efforts to settle northwest boundary — debate on Washington Treaty —</td>
<td></td>
</tr>
<tr>
<td>Linn hill — further attempts to negotiate.</td>
<td></td>
</tr>
<tr>
<td>Chapter VII. — The Oregon Provisional Government and the Inauguration</td>
<td>96</td>
</tr>
<tr>
<td>of Polk.</td>
<td></td>
</tr>
<tr>
<td>Attempts to negotiate, 1844 — Oregon Provisional Government — failure</td>
<td></td>
</tr>
<tr>
<td>of negotiations — government asked for information in Parliament —</td>
<td></td>
</tr>
<tr>
<td>inauguration of Polk — criticism in Commons — Warre-Vavasour</td>
<td></td>
</tr>
<tr>
<td>expedition — debate in Parliament on President’s address.</td>
<td></td>
</tr>
</tbody>
</table>
Table of Contents (Continued).

Chapter VIII. – The Threat of War.  
Instructions to Pakenham – Maynooth debates – Polk breaks off negotiations – reports on the territory – new influences on question – activities of Pakenham – peace party in America – debates on Speech from Throne.  

Chapter IX. – The Oregon Treaty.  

Appendix A. – Biographical notes.

Appendix B. – Extracts from Contemporary Pamphlets and Periodicals Published in Great Britain.

Bibliography.
## Maps

<table>
<thead>
<tr>
<th>MAPS</th>
<th>Facing Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Oregon</td>
<td>1</td>
</tr>
<tr>
<td>II. Astoria</td>
<td>11</td>
</tr>
<tr>
<td>III. Territory in Dispute, 1824 - 1846</td>
<td>50</td>
</tr>
<tr>
<td>IV. Additional Concessions Offered by England, 1826</td>
<td>59</td>
</tr>
</tbody>
</table>

Chart Showing Statesmen Concerned in the Oregon Dispute. 1
The BRITISH ATTITUDE to the OREGON QUESTION, 1846

by

Frankin P. Leviria
MAP I.

OREGON

Northern boundary established in 1824, 1825.

Boundary Established 1846

42° Southern boundary established in 1819.
The Oregon question and its settlement in 1846 have proved a fruitful source of discussion for many competent historians, as well as for many other writers less competent, less scientific and more biased. As early as 1825 pamphleteers had commenced to loose floods of printed material of a controversial type, floods which have now abated somewhat without entirely ceasing. The early historical works were also of a partisan nature, as, for example, Greenhow's "History of Oregon", and were used chiefly to enforce the claims of one or the other of the disputing powers. After the treaty of 1846 many men on both sides were disappointed in the agreement reached, so that the few more sane and balanced criticisms of the settlement were lost in masses of condemnatory literature released on both sides of the Atlantic. The San Juan boundary dispute, which arose from the ambiguous wording of a clause in the Oregon treaty, added additional fuel to the fire of the outraged nationalists and provided yet another cause for their righteous indignation. Canadian writers appear on the scene more often toward the end of the nineteenth century because of the growing dissatisfaction with the progress and settlement of the Alaska Panhandle boundary dispute. In more recent years (since 1900) much more balanced accounts and criticisms of the Oregon negotiations have been published, since the immediate excitement has died down and cordial relations have been maintained between the two chief American nations.

On analyzing this vast mass of printed material it is discovered that the problem has been treated chiefly from two angles. The first
method is to treat it merely as an episode in the history of Old Oregon
(that is, modern Oregon, Washington, Idaho and British Columbia).
This has its distinct advantages. In the first place an abundant
quantity of source material lies ready to the hand of the investigator.
Historical societies in the above-mentioned states have collected and
classified great numbers of primary sources. Pioneers and descendants
of pioneers may be interviewed and will relate vivid stories of early
days in the disputed country. Diaries are plentiful and the lives
of such men as McLoughlin, Ogden and Douglas have been carefully
studied and their biographies written. Secondly, such investigators
are dealing with concrete facts and actual events. Once they have
established the authenticity of a source they are able to speak with
conviction. Such a history, on the other hand, has its marked
disadvantages. It is inclined to magnify the problem out of all pro-
portion to its actual importance. Although the Oregon question is
perhaps of great significance to the inhabitant of British Columbia
or Washington, has it affected the life of the native of Manchester
or South Carolina to any extent?

The second method of treating this problem is a sounder one.
It takes it to be a chapter in Anglo-American relations, or, more par-
ticularly, a chapter in Canadian-American relations. In this case
the source material lies chiefly in the papers of the British Foreign
Office and the archives of the United States. The negotiations are
studied, step by step, the gradual changes in policy closely followed.
The speeches of Congressman and Senators of the United States legis-
lature are carefully analyzed to show the sectional feeling on American
foreign policy. Most works of this type are very accurate in their
accounts of what happened, — some even give an explanation of why it happened — but in the latter case the discriminating observer cannot fail to observe certain glaring omissions. The usual method is to find the cause in the internal affairs of the United States. Almost the utmost concession is to consider the policy and interests of the Hudson's Bay Company as influencing the settlement. There is practically no attempt to explain why the British government was willing to accept a boundary in 1846 which they had hitherto vigorously repudiated, nor to link up the domestic policy of Peel with the foreign policy of Aberdeen.

There are at least two exceptions to this general rule which have come to my attention. The one is an article by Katherine B. Judson in volume 20 of the Oregon Historical Society Quarterly, entitled "The British Side of the Restoration of Astoria". The second appears in volume 28 of the same publication and is written by Henry Commager. It is called "England and the Oregon Treaty of 1846". The first-mentioned was occasioned by Miss Judson's having been permitted by the 1 British Foreign Office to study documents not before thrown open to investigation. She recognized that there was a hitherto unsuspected angle to the cession of Astoria in 1818 to the United States and published the relating documents. Mr. Commager treats briefly in his article of the economic factors governing the British "surrender" in 1846.

1 These documents have been transcribed and copies are to be found in the Provincial Archives at Victoria, B. C. They comprise British Foreign Office Papers No. 5 (America Domestic Various), Volumes 107-135.
It is the venturesome task of this thesis to enlarge on the subject treated by the above-mentioned articles. An attempt will be made to trace the relation existing between the internal affairs and the foreign affairs of Great Britain, to show how the attitudes adopted by the successive foreign ministers to the Oregon negotiations were influenced by economic and social conditions in England itself. Furthermore this thesis will try to describe the shifts in public opinion in Great Britain as the question developed in its various phases.

The necessity at once arises of settling on some definite period through which such feeling is to be traced and of clearly stating what, for purposes of this essay, will be considered as the Oregon question. The Oregon dispute begins with the counter-claims of Spain and Great Britain regarding rights of exploration, trade and settlement on the Pacific coast and the agreement reached by them in the Nootka Convention of 1790. The Florida Treaty of 1819 between Spain and the United States substituted the latter country for the former in the dispute. The shadowy claim of France added to the strength of the American position in 1803 with the purchase of the Louisiana territory by Adams from Napoleon. The United States also brought forward a claim in her own right, based on the discovery by Gray of the mouth of the Columbia River and the explorations of Lewis and Clarke west of the Rockies. The War of 1812 complicated matters by adding the vexing question of the purchase, capture and cession of Astoria. The year 1814 saw the commencement of the negotiations which were to wind wearily to their close in 1846. The Ukase of the Czar Alexander in 1821, claiming sovereign power over the northern portion of the disputed territory for Russia, basing her pretensions on the discoveries
of Behring and the settlements of the Russian-American Fur Company, 
brought a new factor into the struggle. The treaty of 1824 between 
Russia and the United States and the treaty of 1825 between Russia 
and Great Britain settled the northern boundary of Oregon as the 
54° 40' parallel of north latitude, but left indefinite the question 
of the eastern boundary of the Alaskan Panhandle. The temporary 
convention of 1818 was the first attempt at agreement between the United 
States and Great Britain. For want of a better solution, or rather 
for want of any solution, this was renewed in 1827, remaining in force 
until 1846 when it was abrogated and a settlement reached. The clause 
dealing with the water boundary through the Gulf Islands was still rather 
indefinite and gave rise to the San Juan dispute, settled in 1872 by 
the arbitration of the King of Prussia in favour of the United States.

To follow the problem from the Nootka Convention to the San 
Juan settlement is too great a task for the space of this essay: 
consequently it will deal only with the Oregon question proper; that 
is, the period commencing with the outbreak of war in 1818 and concluding 
with the signing of the Oregon treaty in June, 1846.

The greatest difficulty in treating the outlined task lies 
in the scarcity of material. There is an abundance of work on the 
Oregon question, but when a search is made for the underlying reasons 
of British policy one is confronted with either an absolute blank, 
or at the best with veiled hints. There seems to be no doubt that 
reasons other than the ostensible aims of the British statesmen existed, 
yet there must be a great deal of conjecture when one deals with motives 
rather than published statements. The most helpful individual source 
has proved to be Hansard's "Parliamentary Debates", volumes 66 - 87.
It is in the suggestions advanced by critical members of the Commons or Lords more than in official utterances that most of our information is obtained. It has never been the policy of the British government to lay its foreign affairs before the legislature for inspection, especially when negotiations are in progress; it has rather inclined to discourage discussion of them and to submit a bare statement of the treaty or agreement when it is completed. This is in direct opposition to the American custom. As a result far less information is found in Hansard than in the corresponding debates in the United States. What there is is distributed not only through out the debates of Oregon, but also in those on subjects very remotely connected. An interesting example is the debate on the suggested endowment of Meynooth College in Ireland by Peel's administration. In fact it is these latter supposedly remote subjects that prove of the most importance. For authentic reports and official papers the archives of the British Foreign Office, section five, provide the material. These were not directly available to the writer, but manuscript copies are to be found in the Provincial Archives in Victoria, B. C. These were made available by courtesy of the staff there. Additional assistance was obtained from the biographies and letters of the statesmen concerned with the question. Histories of the Oregon territory provided the local background for the dispute and general histories of the period the political background in Europe and America. Newspapers and magazine articles were useful in ascertaining public feeling in Great Britain and the United States. Political pamphlets, legion in number, furnished the necessary party and individual points of view.

In treating the subject no attempt is made to criticize the
settlement as such, nor to adopt one or the other of the partisan atti-
tudes. This thesis tries to show without bias some of the reasons
that may have prompted the British government to accept in 1846 the
boundary line which they had consistently refused from 1818 to 1845,
and to place the Oregon question in its proper relation to the
domestic affairs of Great Britain in that period.
CHART

showing

STATESMEN CONCERNED in the OREGON DISPUTE

*
<table>
<thead>
<tr>
<th>Prime Minister</th>
<th>Term of office</th>
<th>Foreign Secy. Term of office</th>
<th>Minister to USA Date of appointment</th>
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<td>July 18, 1820</td>
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<td>George Canning</td>
<td>To</td>
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<td>Apr. 30, 1827</td>
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<td>To</td>
<td>Earl of Aberdeen</td>
<td>To Nov. 22, 1820</td>
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<td>(Exe Tory)</td>
<td>Nov. 22, 1830</td>
<td>To</td>
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<td>To</td>
<td>Lord Palmerston</td>
<td>Nov. 18, 1834</td>
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<td>July 1834</td>
<td>To</td>
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<td>H. S. Fox</td>
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<td>Sep. 2, 1841</td>
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<tr>
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</tr>
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<td>Richard Pakenham</td>
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<td>Mar. 4, 1829</td>
<td>To</td>
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</tr>
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<td>To</td>
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<td>Andrew Jackson</td>
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<td>M. Van Buren</td>
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</tbody>
</table>
The British Attitude to the Oregon Question, 1846

* * *

CHAPTER I.

The Restoration of Astoria

The first clash between Great Britain and the United States came in 1818 over the restoration of the fur-trading post of Fort George. Hitherto neither country had paid a great deal of attention to the far west coast of America and even now neither country realised that they had opened a question that would not be settled until fruitful farms had replaced the virgin forest on the banks of the Columbia and the homesteader dispossessed the savage Indian and roving fur-trader. For thirty years Oregon was to be a bone of contention between the leading power of the Old World and the leading power of the New; for three decades the boundary between the British and American possessions west of the Rockies was to waver uncertainly before coming to rest at last along the forty-ninth parallel.

The war of 1812 had been fought, but scarcely won. Neither contestant had emerged from the struggle covered with glory. None of the problems which had caused the fratricidal strife had been settled. The Treaty of Ghent by which the war was concluded was little more than a restoration of the "status quo ante bellum". True it was that with the arch-disturber of the world's peace removed from the scene there would be little likelihood of a recurrence of the same troubles, but nevertheless the late foes, smarting from their wounds, eyed each other with suspicion. Causes for further quarrels abounded, so that
another war would have surprised few.

At least one factor tended to prevent this, however. The Congress of Vienna, under the cynical guidance of the reactionary Count Metternich, had consideredly taken charge of European affairs, disposing of peoples and territories with almost complete indifference to the wishes of those most concerned. In return for this benevolent interference the great powers took good care that their own interests did not suffer. To prevent any ungrateful rebellion against their kindly decisions they organised into two great alliances, the Holy Alliance (a personal one of monarchs) and the Quadruple Alliance, pledged to the support of the divine right monarchies and their territorial agreements. Great Britain had little sympathy with the designs of the other powers. Castlereagh had already come into conflict with Metternich at Vienna. It soon became obvious that Austria, Russia, Prussia, and later France, intended to regulate the affairs of the lesser nations, even to the point of interfering in purely domestic concerns. From such a policy Great Britain was anxious to divorce herself; the invasion of Spain by French troops to restore the Bourbon despot was carried out only over her protest. It was apparent that she could find no ally of importance in Europe. She could scarcely afford to antagonize the young and rising power of the New World. Therefore, even as early as 1818, Great Britain was anxious to conciliate the United States so that, if it were necessary for the two English-speaking nations to act in unison, there would be no insurmountable barrier to their alliance. This in some measure explains the

conciliation attitude adopted by Castlereagh in the restoration of Astoria.

While the North West Company was active in New Caledonia and the Kootenay, the Pacific Fur Company, an American organization headed by John Jacob Astor, founded a post at the mouth of the Columbia River in 1811, christening it Astoria. The Astorians (almost all Canadian by birth) prospered for a time, but then found their trade decreasing as the Nor’Westers advanced from the east. At this time the War of 1812 broke out, precipitated by Great Britain’s insistence on the right of search. Despite Astor’s efforts it proved impracticable to send a supply ship to the Pacific coast, so that the Americans found themselves faced with the prospect of being entirely isolated from their base on the Atlantic. They also feared attack by a British war vessel. Consequently, on November 12, 1813, Astoria was sold to the North West Company traders, who immediately took possession and renamed it Fort George. Seventeen days later a British sloop-of-war, the “Raccoon”, arrived with the intention of capturing the post but found it already in the possession of British subjects. The captain, disappointed in his hopes of prize-money, but not to be balked of the opportunity for an idle ceremony, took formal possession of the country in the name of the Crown and hoisted the Union Jack over the Forlorn little post. Little did he realize at the time that this empty display was interpreted as an actual capture of an armed fort. The incident was promptly forgotten in Great Britain in the press of more important affairs.

It was in 1814 that the first signs of renewed interest in the Pacific coast are recorded in the mother-country. On July 4 of
that year, a William Pitt wrote to Castlereagh suggesting that Russia's claims north of 58° of latitude be conceded and that, in return, "the most advantageous part of the Coast", the portion between the parallels of 58° and 46° north latitude, might be secured to Great Britain. This could be held by the establishment of a military colony at Nootka Sound. This scheme seems to have received little or no attention, as there is no further record of it.

At the conclusion of the war the plenipotentiaries of both nations met at Ghent. In his instructions to the American representatives, Monroe, the Secretary of State, is careful to warn them:

"On no pretext can the British government set up a claim to territory south of the northern boundary of the United States. It is not believed that they have any claim whatever to territory on the Pacific Ocean. You will, however, be careful, should a definition of the boundary be attempted, not to countenance in any manner, or in any quarter, a pretension in the British Government to territory south of that line."

No mention of the boundary appeared in the Treaty as signed except to establish the boundary east of the Lake of the Woods.

Article I., however, contained the following provision:

See biographical notes. Foreign Office Papers No. 5, Vol. 103

It is important to note that while Adams, Clay and Gallatin, the American representatives, were diplomats of the first rank, Goulburn, Gambier and Wm. Adams, the Britishers, were not. The best British men were at Vienna.

"All territory, places and possessions whatsoever, taken by either party from the other during the war, or which may be taken after the signing of this treaty, excepting only the islands hereinafter mentioned, shall be restored without delay."

The next year saw the first bill for the occupation of the Columbia introduced in the American Senate by Mr. Floyd of Virginia. It aroused so little interest in the chamber that it never reached the third reading, but it was destined to be the forerunner of many such bills. It served to show that a certain section of the United States public was becoming interested in a question which never disturbed British popular feeling to any marked extent until almost thirty years later.

The first hint of trouble over Astoria came in the form of an interview between Anthony St. John Baker, the British charge-d'affaires at Washington, and James Monroe. (Charles Bagot, the newly-appointed ambassador, had not yet arrived.) The astonished Baker knew nothing whatever of the matter brought up by Monroe, so wrote to Castlereagh for instructions.

"Mr. Monroe having requested an interview with me at the Department of State, I accordingly waited upon him at the time appointed.

"He stated he was desirous of speaking to me upon one or two points, the first of which related to the establishment which the United States had possessed before the war on the Pacific ocean at the mouth

See biographical notes.
of the Columbia River, but which had been broken up by a naval force, sent by the British government for that purpose. He conceived that it fell within the meaning of the Treaty of Ghent, and ought to be restored, for otherwise it would have been excepted in the treaty as

had been the case with the Passamaquoddy Islands, and requested to know whether I agreed with that opinion.

"I replied that I had not considered the question which was unexpected by me; that is, fact, I did not immediately call to mind what was the result of the expedition to which he alluded, and was not aware that any persons whatsoever had been left upon the spot who could effect the restoration required, should this case be thought to come under the treaty, but that I was ignorant of any transaction between the two Governments which recognized the claim of the United States to any part of the Pacific ocean.

"He didn't state the foundation on which the claim to this territory rested, insisting merely on the fact of its having been captured during the war which brought it within the Treaty. ....................

................. Mr. Munroe led me to expect that he would make a written communication relative to the restoration of the settlement on the Columbia River. ......................

"P. S. Since writing the above, I have received Mr. Munroe's letter relative to the restoration of the settlement on the Columbia River, a copy of which I beg leave to enclose. It is my intention in my reply to refer him to Rear Admiral Dixon, who commands in those seas.

"A. B. "

1
A joint commission, appointed under the Treaty, settled the ownership of these islands in 1817.

2
The "written communication" arrived on July 18. In it the American secretary makes his official demand.

"As the post on the Columbia River was taken during the war, and is not within the exceptions stipulated, the United States are of course entitled to its restitution; measures will therefore be taken to occupy it without delay. It is probable that your Government will have given orders for its restitution; to prevent, however, any difficulty on the subject, I have to request you will have the goodness to furnish me with a letter to the British Commander there to that effect."

Confronted with a cool demand for the return of a post about which he knew nothing, Baker acted quickly. He wrote immediately to Rear-Admiral Dixon and to the authorities in Canada for the missing information concerning what he imagined to be an important settlement and armed fort. His requests resulted in a lengthy report, accompanied by sputtering indignation at the effrontery of the American claim, from Simon McGillivray, head partner of the North West Company.

After a detailed review of the explorations and settlements (the latter being somewhat imaginary) made by the Company, McGillivray refers in scathing terms to American exploration, especially to the expedition of Lewis and Clarke.

"Though in fact the Country in the interior was well known to the Traders from Canada, the Americans as they went along, bestowed

2 See biographical note. This is untrue. Thompson did not cross the Rockies until 1806 to take up his work on the headwaters of the Columbia River. It was not until 1811 that he descended the river to its mouth. Therefore the work of Lewis and Clarke in 1804-5 was done before the Nor'Westers had extended their trade to the Columbia River valley.
new Names on Rivers, Mountains, &c., such as Jefferson's River, Madison's
River, and so forth, forgetting or affecting to forget that the Columbia
River had already been surveyed by Captain Vancouver and that a route
across the Continent to the Pacific Ocean had already been traversed
by Sir Alexander McKenzie, both of whom had taken possession of the
country in the name of His Majesty as hereinbefore mentioned."

Despite this, Astoria had been founded and "the rights of
Great Britain disregarded".

"Representations upon this subject were from time to time
made to His Majesty's Government by the North West Company's representa-
tives in London. Upon this subject they have had the honour of con-
ferring with several of His Majesty's Ministers at different times
and they all expressed their opinion that the country in question belongs
of right to Great Britain and that the United States had no just claim
whatever to the possession of it, but still no measures were for some
time adopted by the Government to interfere with the then new Establish-
ment at the Columbia River, and this forbearance may be imputed to the

1 Lieutenant Broughton, of Vancouver's expedition, surveyed the river in
boats to a hundred miles from its mouth, but no farther.

2 McKenzie traversed a northern route from the Fraser River to Bella
Coola, but did not cover the same territory as Lewis and Clarke. It
is difficult to see the connection between McGillivray's facts and
their intended application.

Quoted in Judson, "The British Side of the Restoration of Astoria";

4 "The ministers particularly alluded to as having given decided opinions
on the subject are the Earl of Harrowby, The Marquess of Wellesley,
Lord Viscount Castlereagh, Earl Bathurst, Mr. George Rose, etc., etc.,
etc." Original note by McGillivray.
following causes; viz., 1st, the object was remote and considered of less importance than it would have been under different circumstances. The Country was engaged in War with numerous and powerful Enemies and the Government was doubtless unwilling to add to their number by quarreling with America or adding to the causes of quarrel already existing."

McGillivray's report continued to recount the further history of Astoria, including the purchase of the post and the visit of the "Raccoon". On the latter incidents he makes this comment.

"The result was an arrangement by which the Americans agreed to retire from the Country and to sell the goods which they had at the Fort which the North West Company's people purchased, and thus when the Raccoon appeared in December, 1813, she found the place in possession of Friends and her Officers were not a little disappointed in their hopes of Prize Money."

From this account, correct in its essentials though inaccurate in detail, the senior partner of the North West Company leads to his undoubtedly warranted conclusion.

"It is evident from this statement that Fort George is not a Conquest the restoration of which the American Government are entitled to claim under the 1st Article of the late Treaty, nor could it have been so considered by the formers of that treaty for one of the representatives of the North West Company had the honour of an interview with Lord Bathurst on the subject after the ratification of the Treaty.

1 McGillivray, op. cit., 1. The date is incorrect. The "Raccoon" visited Astoria on November 29.

2

3 McGillivray, op. cit.
was known and not long after Mr. Gouldburn's return from Ghent; when his Lordship declared decidedly that the Country in question was not considered as a Conquest to be restored under the Treaty, but a British Territory to which the Americans had no just claim, and the reason which his Lordship assigned for this Country not being mentioned in the Treaty was, that, requiring from the Americans any recognition or guarantee of His Majesty's rights thereto might tend to cast doubt upon a Title which was already sufficiently clear and incontestable."

There is no further evidence of this reported interview with Bathurst and it seems as if the British government at that time was little concerned with the remote outpost of Fort George. Baker replied to Monroe's letter on July 23, acknowledging its receipt and advising Monroe to get in touch with Dixon, as the whole thing was beyond his (Baker's) powers.

With that the matter seems to have been forgotten for a time by everyone except the fur-traders, who, faced with the possible loss of their interests across the Rockies, excitedly demanded government action. Two of these letters are on record in the Colonial Office. One is from an English company asking whether they could depend on British protection if they established trade with the Columbia River. Another is a demand from the North West Company that the safety of their trade on the north-west coast be assured, as, "if the colony

1 McGillivray has misspelt the name. See biographical notes under Goulburn.
2 McGillivray; op. cit.
3 Baker to Monroe, July 23, 1815.
4 Inglis, Ellis and Company.
MAP II.

ASTORIA

[Hand-drawn map of the Columbia River with a label indicating Astoria]
on the Columbia River was on British soil, they could advance trade, otherwise they must abandon it." There seems to have been no recognition of these communications by the government, the worries of a colonial fur-trading company being regarded just then as of little importance when compared with the guaranteeing of European peace against Napoleon. The fact that the United States, although busy abroad with Spain and Algiers, still found time to consider another Columbia River occupation bill, passed unnoticed on the other side of the Atlantic.

In 1817, however, trouble broke out afresh. In a letter dated August 30, Sir James Lucas Yeo noted that there is an increasing restlessness in the United States and that there is considerable hostility towards Great Britain. An armed ship, the "Ontario", was sailing around the Horn to the Columbia "to obtain possession of some island or territory in that quarter, preparatory to the establishing a very extensive commerce in those seas".

This rumour concerning the "Ontario" spread so widely that at last Bagot, the ambassador at Washington, wrote to Castlereagh about it. At the same time he communicated with Sherbrooke, the Governor of Canada, asking him to inform the North West Company. The rumours

2. Introduced by Senator Floyd of Virginia, 1816.
4. See biographical note.
6. See biographical note.
7. See biographical note.
*
had long since reached McGillivray, however, and on November 21 Bagot received a letter from him repeating the prevailing gossip that the "Ontario" was "to seize or destroy the establishment and trade of the North West Company upon that Coast, — what pretext may hereafter be set up to justify this attack I really cannot imagine unless it should be the recent act of Congress prohibiting foreigners from any trade or intercourse with the Indians within the territories of the United States, and the assumption that the country bordering upon the Columbia River forms a part of their territories. This assumption, destitute of foundation as it can easily be shown to be, is one which the American government has aimed at setting up ever since the purchase of Louisiana, and the attention which they have always directed towards that object affords in my opinion a strong corroboration of the story relative to the 'Ontario'."

Equipped with McGillivray's letter, Bagot interviewed John Quincy Adams, the Secretary of State, and asked him pointblankly if the "Ontario" had sailed. Adams was considerably taken back at the apparently unexpected question and seemed to be at a loss for words for a few moments. Then he replied that it was true enough that the vessel had left for the north-west coast of America, but that "she had not received any orders either to destroy or disturb the trade of the North West Company." Recovering his poise he went on to explain to Bagot that, as he must already know, "the United States had possessed a settlement on the Columbia River which had been captured during the

3
late war, and that upon the peace, application had been made to Mr. Baker for its restitution, ..................... to which Mr. Baker had merely replied that the fort had been destroyed, and that he believed that no person would be found there who could make restitution, and that the object of the voyage was to re-establish this settlement, which, he seemed rather to imply, was already in the possession of the United States." For the first time in his discussions with the British diplomat, Adam brought up the American claim to the Columbia territory by virtue of Gray's discovery of the mouth of the river "between the years 1780 and 1790". To this Bagot, alert to forestall any possible misunderstanding in this direction, replied that "the coast had been uniformly claimed by Great Britain, as might be seen by reference to the discussions which had formerly taken place with the Spanish government, the only government with whom any discussion upon that subject could arise". Adams made no comment on this but attempted to belittle the whole affair by remarking that Great Britain would surely not consider the question a worthwhile cause for a quarrel. Thus the interview terminated without any really satisfactory result. Bagot wrote to Sherbrooke for more information in order to be better prepared if the question were introduced again, while the North West partners petitioned him for protection of their interests.

1 F. O. 5, Vol. 123. 2 Ibid. This statement, as well as the one quoted by Adams immediately above, is incorrect. Many such inaccuracies of detail will be noticed. Gray discovered the mouth of the Columbia in 1792. In the dispute with Spain, precipitated by the seizure of Mears' ships at Nootka, Great Britain claimed only the rights of trade and settlement, in common with other nations, as opposed to Spain's claim of sovereignty.

3 F. 0. 5, Vol. 123; op. cit.
In a further communication in cipher to Castlereagh, dated November 24, Bagot informed him that he had finally secured certain intelligence that the "Ontario" had sailed on October 4.

Armed with this knowledge, the ambassador approached Adams once more, this time through the official channel of a note. An explanation of the voyage of the "Ontario" was requested, "as it thus appears that no claim for the restitution of the post can be grounded upon the first article of the Treaty of Ghent, and as the territory itself was early taken possession of in His Majesty's name, and has since been considered as forming a part of His Majesty's dominions."

While awaiting a reply he sent an important suggestion to Castlereagh, namely that it would be well to have the Columbia River post actually in the possession of British subjects when the "Ontario" arrived. Bagot, as well as Baker, seems to have thought that Astoria had already been abandoned by the Nor'Westers. His plan was to pass the word overland from post to post of the purpose of the American sloop's visit, and thus to have the traders of the Company in the Columbia district prepared for her arrival. He does not seem to have intended actual resistance, but rather to have shown the Americans that Great Britain did not recognize their claims. He knew that, in such a case, they would hesitate to use even a show of force in expelling those in possession, such being tantamount to a declaration of war.

His plan, however, proved to be impracticable, as Sherbrooke, acting on his instructions, determined from McGillivray. Means of communication

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1 Bagot to Castlereagh, Nov. 24, 1817. F. O. 5, Vol. 123.
2 Ibid. F. O. 5, Vol. 123.
3 Ibid. F. O. 5, Vol. 123.
across the continent were too slow and uncertain so that it would have
been "quite impossible to convey any intelligence across the Continent
to the Columbia River, to prepare the posts of the North West Company
there, for the appearance of the Ontario, and to enable them to take
proper measures in consequence".

Adams meanwhile ignored Bagot's note, for, on January 6,
the British ambassador still lacked a reply. Adams was probably counting
on the work of Richard Rush, the newly-appointed minister to the Court
of St. James, to settle the question. In the meantime he had no ob-
jection to infuriating Bagot by keeping him waiting. Such a Fabian
policy allowed the "Ontario" to approach closer to its objective, while
forcing the British to take the initiative and permitting himself to
rest on the defensive.

His justification lies in the results. Castlereagh, while
still denying any American right to Astoria, decided to yield on what
he considered to be a minor point so that he might lay the foundations
of a friendly feeling with the United States. Accordingly, on the
26th, he wrote to Bathurst:

"I have this day addressed to the Lords Commissioners of
the Admiralty, acquainting their Lordships that Mr. Bagot, His Majesty's
Minister in America, having transmitted intelligence that the United
States sloop of war Ontario has been sent by the American Government
to re-establish a Settlement on the Columbia River, held by that state
on the breaking-out of the war, it is his Royal Highness's pleasure

1 F. O. 5, Vol. 129. 2 See biographical note.
3 The Prince Regent. George III. did not die until 1820, but deafness
and insanity compelled the appointment of his son, afterwards George IV.,
as Prince Regent in 1810.
that in pursuance of the 1st Article of the Treaty of Ghent (without, however, admitting the right of that Government to the Possession in question), due Facility should be given to the Reception of that Settlement by the officers of the United States, and I am to request that Your Lordship will be pleased to take such steps in the furtherance of that object, as you may judge expedient."

Accordingly, instructions were sent through McGillivray to Keith, in charge of Fort George, to deliver up that settlement to the American commissioner when he arrived.

Viscount Castlereagh's instructions to Bagot were also explicit.

"You will observe, however, that whilst this Government is not disposed to contest with the American Government the point of possession as it stood in the Columbia River, at the moment of rupture, they are not prepared to admit the validity of the Title of the Government of the United States to this Settlement. In signifying therefore to Mr. Adams the full acquiescence of Your Government in the reoccupation of the limited Position which the United States held in that River at the breaking out of the war, You will, at the same time, assert in suitable terms the Claim of Great Britain to that Territory, upon which the American Settlements must be considered as an Encroachment."

This step was to be taken "in order to prevent any unpleasant collision."

The scene now shifts to the Pacific coast. The "Ontario", under the command of Captain Biddle, reached Valparaiso, where she

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1 Castlereagh to Bathurst, Jan. 26, 1817. F. O. 5, Vol. 139.
2 F. O. 5, Vol. 129.
3 Ibid.
4 See biographical note.
left Prevost, the American commissioner, and then set sail once more for the Columbia. She arrived off Fort George on August 19, 1818, and anchored inside the bar of the River. Captain Biddle gave no intimation to Keith of the purpose of his visit, but carefully examined the surroundings of the post in the company of the ship's surgeon.

Keith, quite mystified by his actions, thought that they might herald an American attack, but the "Ontario" disappeared as quietly as she had arrived. After her departure Keith found in a deserted spot near the fort the following notice, which only added to his bewilderment.

"Taken possession of in the name and on the behalf of the United States

By Captain James Biddle, commanding the United States Sloop of War, Ontario,

Columbia River, August 1818."

On July 12 the British ship, "Blossom", Captain Hickey, sailed for the Pacific coast, picking up Prevost at Valparaiso. Arriving at Fort George, formal restitution of the post was made to the United States. This document contained no reservations whatsoever, but read:

"In obedience to the commands of His Royal Highness, the Prince Regent, signified in a dispatch .................... we, the undersigned, do, in conformity to the first article of the Treaty of Ghent, restore to the Government of the United States, through its agent, J. P. Prevost, Esq., the settlement of Fort George on the Columbia River. Given under our hands in triplicate at Fort George,

F. O. 5, Vol. 147.
Columbia River, this 6th day of October.

"F. Hickey, Captain of His Majesty's Ship Blossom."

"J. Keith, Agent of the North West Company."

There was no attempt on the part of the United States to do more than take formal possession. The North West Company traders were not disturbed.

Such was the victory won by American diplomacy in the Astoria affair. It is plain to see that Great Britain did not mean in any way to prejudice her own or to admit American claims, but was merely making what she felt to be an unimportant concession in the interests of international harmony.

It seems probable that in doing this Castlereagh had a certain definite plan, one which he immediately pursued farther. To understand this it is necessary to return once more to the European theatres of affairs. The system of Metternich was in full swing; Europe was dominated by the alliance of the great powers; Austria, Russia, Prussia and Great Britain. Yet the first rumblings of the coming revolt against reaction were making themselves heard in Italy, Spain and Greece. Metternich had determined to strike at this awakening liberalism at once. With the aims of her allies Great Britain did not altogether agree. Even the reactionary Castlereagh had clashed with the Austrian minister on minor points and there was little love lost between them. The seeds of some such policy as Canning's "non-intervention" were already germinating in his mind. He knew he must look for an ally out of sympathy with the imperial autocracies of Europe. The United States

Thomas J. Farnham, History of the Oregon Territory; J. Winchester, New York 1844; p. 20; quoted.
was the only possible hope. Yet war with the American power had scarcely terminated and many differences remained to be settled. Without any loss of prestige these must be smoothed out to prepare for the possible alliance. What better introduction to improved relations than for Great Britain to make some such graceful gesture of friendship as the restoration of Astoria? Some such thought must have passed through Castlereagh's mind. After all, Astoria mattered little in the bigger scheme of world affairs, and he was careful always to assert that he was not admitting the American claim.

He reckoned without the cunning or diplomatic wisdom of Adams. The latter disliked England and the English and took delight in outmaneuvering the British statesmen. In later days he repudiated any knowledge of the British reservations, verbal or written, knowing full well that he held the whip hand, since Great Britain had neglected to place any reservation in the formal document of restitution. The oversight must be admitted. British statesmen had put a powerful weapon into the hands of the Americans for future use. By her very actions she had seemed to admit American claims to sovereignty on the Pacific coast, yet neither Castlereagh or Bagot had any such intentions nor realized the falsity of their position.

Both Rush and Adams were quite aware of the reasons for the British concession and Adams certainly knew the full importance of the victory gained. We can imagine his inward amusement when he informed Bagot "that the American Government put very little value upon the Post of Astoria". Rush interviewed Castlereagh on February 1, and

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on the 14th wrote to Adams:

"It is proper, at this stage, to say that Lord Castlereagh admitted, in the most ample extent, our right to be reinstated, and to be the party in possession while treating of the title. The manner of obtaining it, he said, was alone to be lamented, declaring that it arose from the probable tendency which it might have, to give some momentary disturbance in that region to the general harmony existing between the countries. He hoped sincerely that this would not be the case, and added that, with a view to forestall by the most prompt and practicable means, such a result, he had addressed a note to the Lords of the Admiralty, and another to Lord Bathurst, Secretary of State for the Colonial Department, on the 26th of last month, desiring that the proper orders might be expedited to prevent, under whatsoever form, all hostile collision."

The first skirmish in the long and bitter battle over Oregon was an undoubted triumph for the United States. The next phase of the engagement was not so decided a victory.

1 See above, p. 15.  
CHAPTER II.

The CONVENTION of 1818

After having so carefully paved the way for better relations between the two powers, Castlereagh lost no time in taking advantage of the existent good-feeling to attempt to settle forever the question of the boundary between the British and American possessions in the New World. With this in view he started negotiations on both sides of the Atlantic; that is, he approached Rush in London and sent instructions to Bagot at Washington. On February 1, 1818, when informing Rush of his actions in connection with Astoria he made the suggestion that the whole question of the sovereignty of the Columbia valley be arbitrated, "Great Britain having a claim of dominion over that territory".

His instructions to Bagot were explicit and must be quoted in full. After ordering the restoration of Astoria he continued:

"In adverting to this point with the American Secretary of State, which brings into view the unsettled nature of the pretensions of the two Governments in the whole Extent of the Frontier to the Westward, from the Lake of the Woods to the Pacific Ocean, — adverting also to the omission in the Treaty of Ghent of any provision for the demarcation of Limits beyond the Point above referred to, it has appeared to the Prince Regent's Government consistent with the friendly Spirit of Our existing relations, to take Measures for settling our

Rush; op. cit., p. 94.
Boundaries with the United States throughout the whole of this Line. It certainly ought to be our mutual Policy to settle as early as possible any doubtful Question of the Right of possession, which might hereafter place at hazard the amicable Relations of the two Governments. It is always more easy to come to an arrangement on such subjects, when the Territory in discussion is little known or little cultivated, than where Enterprise and Industry have led to settlements, which cannot be abandoned without Loss, and cannot be ceded, without the Alienation of Subjects owing allegiance to one or other State. .................. A new motive for resuming such a purpose has arisen out of the acquisition made by the United States ........... of the 1 Province of Louisiana from Spain, which may leave a line of Frontier to adjust, beyond that River, between the two States. It is in the spirit of an amicable desire to put an end to Controversy on such Points, that I have received the Prince Regent's commands, to authorize you to propose to the American Government to extend the arrangement provided by the articles above mentioned of the Treaty of Ghent for settling The Boundary from the North West point of the Lake of the Woods to the utmost Extent of the contiguous Territories of the two States. .......

.................................................................

As it will require, for the execution of this Measure, either a supplementary Treaty, or additional articles to the Treaty of Ghent should be signed by the Plenipotentiaries duly authorized. You will invite the Government of the United States to furnish the Minister in London

1 The purchase was not made from Spain at all, but from France, in 1803. Napoleon had early dreams of an American as well as a European Empire. Louisiana, secured from Spain in 1800 by the Treaty of St. Ildefonso, was to be his base. The outbreak of war again with England in 1803 caused him to abandon his American schemes.
with the requisite power and Instructions, to comprehend both these
1 objects in one and the same Instrument. "

In a separate confidential letter of the same date Castlereagh
suggests that the boundary west of the Mississippi be settled immediately
by arbitration, especially that part of it west of the Rocky Mountains.
After the rights to the coast territory are decided it will be compara-
tively easy to fill in the central portion. The English foreign minister
was evidently anxious to remove all possible sources of trouble as
expeditiously as possible.

In following such a conciliatory policy he was faced with the
prospect of calming a nation by no means friendly to Great Britain.
"Twisting the lion’s tail" was a sport only too common with American
politicians, sure of the applause of a large section of the public.
Castlereagh was well aware of this hostile atmosphere in the United
States as a note in the Foreign Office shows. James Buchanan, consul
at New York, reports in April that there is a general feeling of
4 hostility there towards Great Britain; this increased, rather than
declined, in the next few years, presenting a stumbling-block to the
feet of well-disposed negotiators.

There was no immediate reply to the British proposal to submit
the whole question of boundaries to a commission for settlement. Rush
had transmitted Castlereagh’s suggestion to Adams. He received in

1 The questions of the boundary and the slave trade.
2 Castlereagh to Bagot, Feb. 4, 1818. F. C. 5, Vol. 129
3 Castlereagh to Bagot, Feb. 4, (Separate and Confidential). F. O. 5,
Vol. 129.
reply a dispatch, dated May 20. Adams had no definite answer to make as the President was on holiday, while he himself was busy on other matters. He also made a half-apologetic explanation of the "Ontario" affair, pleading that the lack of warning attending her voyage was entirely accidental, due to ignorance of any British settlement and of the fact that there was any question of the American title to the Columbia. He seemed quite certain that Great Britain did not regard the country as of much value. "If in the course of future events it should ever become an object of serious importance to the United States, it can scarcely be supposed that Great Britain would find it useful or advisable to resist their claim to possession by systematic opposition."

This over-confidence would explain many of his more flagrant breaches of the accepted etiquette of diplomatic relations; he could afford to be rude because he was inwardly sure of his ultimate victory.

On the receipt of the dispatch Rush interviewed Lord Castlereagh and acquainted him with its contents. The Englishman seemed to be satisfied with the explanation and glad that the earlier dispute had been concluded.

Monroe returned from his holiday at the end of the month, so that Adams was able to provide Bagot with the American Government's reply to his proposal. The President agreed with the spirit of the communication.

"He had come to the determination to propose to His Majesty's

1 Having gained the first point, he was again ready to keep the British waiting.
2 See above, pp. 11 - 17.
3 Adams to Rush, May 20, 1818.
Government to adjust the points of the Slaves, and the boundaries, together with all the other points which might be thought capable of such adjustment, by a general Convention; that he acquiesced in the opinion that it was desirable to ascertain and fix whatever might be undefined in the boundaries of the two Countries, or liable to put to hazard their mutual good understanding; but that he thought, that this object could be easily attained, and, for all practical purposes, with sufficient accuracy, by direct Negotiation between the two Governments, rather than by the employment of Commissioners."

So that no time would be lost in coming to an agreement, Rush and one other would be sent the necessary powers to treat on these questions.

The British government dropped its plan of arbitration to adopt the American suggestion of direct negotiation. In his instructions to Goulburn and Robinson, the British commissioners, Castlereagh lists the points to come under discussion. Fifth on the list is the question of the Columbia district.

"5. The position on the Columbia River occupied by the Americans, and now ordered to be restored to them in pursuance of the first article of the Treaty of Ghent, but under a protest as to their right to the same."

The British seemed to have supposed that the Americans would claim only the southern portion of the disputed territory; at least, that is the manner in which Goulburn interpreted his instructions.

1 Bagot to Castlereagh, June 2, 1818. F. C. 5, Vol. 132.
Consequently, when the American claims were presented to him at the first meeting of the commission, he was rather astonished at their scope. In his report to Castlereagh he stated:

"The article for settling the boundary to the westward of the Rocky Mountains claimed on the part of the United States an extent of territory beyond whatever has been contemplated as belonging to them.

"They settled it generally to rest on the right of prior discovery and occupation, but in the settlements which they subsequently made, they appeared rather to address arguments in support of their claim to the mouth of the Columbia River, than to the whole of the interior territory which the terms of their article conveyed to them."

The American pretensions rested, in brief, on the discovery by Gray of the mouth of the Columbia in 1792, the explorations of Lewis and Clarke on its headwaters in 1804, the settlement at Astoria in 1811 and the purchase of Louisiana from France in 1803. The boundaries of this last province were rather indefinite and the Americans argued that they included all territory south of the Hudson's Bay Company grant and east of the Pacific. This claim was never urged in later years because of the added strength of the American position after the Florida Treaty with Spain in 1819.

It must be remembered that the Columbia River question was only one small problem among many in the negotiations of 1818. The chief matters of importance to be settled were the boundary from the Lake of the Woods to the Rockies and the slave trade. Fur-trading,

trapping and buffalo-hunting were of primary importance in the prairie country. Pioneers from the Eastern States were moving into the northern Mississippi Valley in the south; Lord Selkirk had already established the unhappy Red River Settlement in the north. Demarcation between the two countries was essential in the Middle West. The Oregon, on the other hand, could wait. In this period, "during the deadly rivalry of the North West and Hudson's Bay Company, the fur trade was undergoing a temporary depression and there was no settlement at all west of the Red River.

When the 49th parallel of north latitude was decided on as the boundary to the Rockies, Rush and Gallatin proposed to carry it through to the Pacific. They met with a flat refusal from the British. Any further delay in reaching a decision would have been fatal to the whole agreement, so the less important detail was simply allowed to drop for a while. At the end of the conference a compromise was arranged in regard to this point. Since neither Government would consent to the claims advanced by the other the whole question of the boundary west of the Rockies was left in abeyance. Having attained that temporary, though unsatisfactory, conclusion, a convention was signed by the four commissioners on October 20, 1818. This was ratified by the two Governments later, ratifications being exchanged on January 30, 1819.

Article III. reads:

1 A state of almost open warfare existed between the traders of the two companies. In 1821 they united under the name of the Hudson's Bay Company.
2 The other American plenipotentiary. See biographical note.
3 It is interesting to note that this identical proposal is the one made by the Americans in every phase of the negotiation.
It is agreed that any Country that may be claimed by either party on the northwest coast of America, westward of the Stony Mountains, shall, together with its harbours, 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 the said country, nor shall it be taken to affect the claims of any other Power or State to any part of the said country; the only object of the high contracting parties, in that respect, being to prevent disputes and differences amongst themselves.

It has been said that the Convention of 1818 provided for "joint occupation" of Oregon by the two powers. Without endeavouring to quibble over words, such a phrase is singularly misleading. In the article quoted above, the only article dealing with this particular aspect of the boundary question, there is nothing to justify such a statement. The commissioners themselves would undoubtedly have denied the imputation. In the first place there were still two other powers who would have actively denounced such an agreement; namely, Spain and Russia. The article was merely an agreement to leave the dispute in abeyance for a term of ten years, both countries maintaining their claims, neither country renouncing one jot or tittle of their pretensions.

1 It must be remembered that both Spain and Russia still retained claims on the Pacific coast of America. Spain transferred her claims by discovery to the United States by the Florida Treaty of 1819. Russia limited the southern boundary of her claims to the 54° 40' parallel by the treaty of 1824 with the United States and the treaty of 1825 with Great Britain.

2 Malloy; op. cit.; vol. 1, p. 632.
It was a postponement for a decade of a dispute apparently impossible of immediate settlement, in the hope that in that time some agreement might be reached. Meanwhile subjects of both nations were to be admitted to equal rights of trade and settlement. This last clause was somewhat loosely interpreted by both nations.

There is no information extant as to how Castlereagh regarded the partial failure of his scheme to settle all the questions in dispute with the United States. This very lack of information leads one to believe that he was fairly satisfied with the result. No statesman ever expects to attain complete success in a negotiation and the conclusions of the discussions of 1818 must have been very gratifying on the whole. His plans had partially failed, it is true, but they also had partially succeeded. Agreement had been reached on two very vexing problems; the way had been paved for future amicable relations between the two states.

Another important point should be noted. Castlereagh was very willing to remove any obstruction in the way of permanent peace between Great Britain and the United States, but he was not willing to yield even the southern portion of the Oregon territory to them in order to gain that end. This was contrary to American expectations.

At a dinner in London on June 17, 1819, he showed this very clearly. "At its point of chief interest, Lord Castlereagh, bending forward so as to give me his voice, said, 'Yes, and may the happy tranquillity we are speaking of, long continue; Europe requires repose; each state has had enough of war, and enough of glory, and ought to be content.' Here he paused an instant, but resuming, he proceeded, 'and you, too, You of America, Mr. Rush, ought also to be satisfied; You left off very well, and ought to wish for nothing but a continuance of peace.'" Richard Rush, Memoranda of a Residence at the Court of London, from 1819 to 1825; Lea and Blanchard, Philadelphia 1845; p. 113.
Neither Rush or Adams understood this attitude. They had been tempted to believe that Great Britain regarded Oregon as of little or no importance a possession to be ceded readily if the United States made the demand. The facts did not bear out their opinions. Far distant and little known as it was, Castlereagh regarded Oregon as British territory, not to be yielded lightly. It is possible, but scarcely probable, that the North West Company influenced this attitude; it is more likely that he regarded the region of being of future value as a base for the British fleet on the Pacific. The records are silent on this point, but the fact remains that Great Britain did not yet look on the Columbia as entirely lacking in importance.

1 His stand illustrates, too, that he intended the cession of Astoria only as a graceful gesture, not as the surrender which the Americana interpreted it as being.
CHAPTER III.

STRATFORD CANNING and JOHN QUINCY ADAMS

The third period in the history of the Oregon negotiations opens with an amusing, if ridiculous, situation. Charles Bagot retired as ambassador to Washington in 1820, to be succeeded by Stratford Canning, a diplomat of the first rank. A man, courtly in manner, somewhat unconventional in method and of a somewhat irascible temper at times, he was a suitable match for the wily Adams. Though of great ability, his interests lay mostly in the Near East and he was handicapped in his new situation by an insufficient grasp of American affairs. His first impressions of the Secretary of State were very favourable, but they changed rapidly after his first diplomatic skirmish with that American patriot.

In a debate in the House of Representatives one of the Government supporters, speaking against the proposed reduction in the army estimates, asked "whether it would be prudent to reckon on a continuance of the peace at a time when the United States had it in contemplation to extend their settlements, beyond the Stony Mountains". At the same time a semi-official newspaper in Washington, the "National Intelligencer", announced the second reading of a bill authorizing American occupation of the Columbia country, and its submission to a select committee for report. In support of the measure it had also published several

1 See biographical note. Canning to Castlereagh, Jan. 28, 1821.
2 Canning to Castlereagh, Jan. 28, 1821.
3 The committee was headed by Mr. Floyd of Virginia.
articles, one of which Canning sent to Castlereagh.

Canning viewed these alarming symptoms with an anxious eye and decided to ask Adams for an explanation. Accordingly he called on him "without any previous intimation". After first warning him that he was speaking in the capacity of British minister, he called Adams' attention to the circumstances already enumerated and then requested him to let him know "whether the Government of the United States had any immediate intention of forming a new settlement on the Columbia."

This provoked an angry outburst from Adams, who was given to occasional lapses of bad temper. Canning's official report of the incident states:

"Scarcely had I completed the question, when, to my great astonishment, Mr. Adams replied, in the most determined and acrimonious tone, that the United States did probably mean to make a new settlement on the Columbia, and that they had a perfect right to do so, the territory being their own. I asked whether I was to receive this answer as coming from his Government. He replied, with increased asperity, in the affirmative."

"On receiving this declaration it was natural for me to

By a Mr. Robinson, the author of a work on Mexico. This is a long article reviewing the exploration already done and urging the surveying and charting of the North-west coast by government ships, the building of military posts, etc. It speaks of the Russian "encroachments" at "Bodega Point" (Bodega), ignores British rights and speaks slightingly of the achievements of Captains Cook and Vancouver.

Ibid. Which they of course did have under the terms of the Convention of 1818.
express my surprise, and I recalled to Mr. Adams’s recollection the claim which had been laid to the territory in question by the British Crown, the circumstances which had attended the restitution of the American settlement at the mouth of the Columbia in 1818, and the terms of the third article of the London Convention. Mr. Adams raised objection on these several points; and as he left his seat, while speaking, to look for a copy of the Convention to which I had referred, I availed myself of the opportunity to propose calling upon him at some other and more convenient time. This proposal was received in silence; and after a pause of some moments, succeeded by a few more sentences in the same strain as before, Mr. Adams suddenly added, with an expression of impatience and rudeness which I am still at a loss to explain, that, if I had any enquiries to make on the subject of the Columbia, I must make them in writing, and in no other form would he return me an answer. In vain I endeavoured to convince him, that in opening the subject verbally, as on other occasions, I had meant to select the fairest and least embarrassing mode of communication. He seemed determined — whether from temper or design I know not, — to consider any interference respecting the Columbia as offensive and unwarranted. He seemed even to reproach me, personally, with going out of my way to stir an angry and provoking question, nor did he even desist from insinuating the same charge, after I had remarked how easy it would be for him, if he apprehended that I was overstepping the line of my duty, to ascertain the exact merits of the case through his own Minister in London. He denied my right to ground an enquiry on anything that occurred in Congress, and, disclaimed all the responsibility for the publications, merely as such, of the National Intelligencer. I assured him, in

In this, of course, he was perfectly right.
reply, that I had no wish to raise a discussion on either of these points: and that I was contented to rest the inquiry, which I thought it my duty to make, upon the ground of general notoriety."

Stratford Canning did not want to commit his Government by a note, especially when he was not quite sure of his own interpretation of the British position, so made arrangements for another interview the following day, in order to afford Adams "an opportunity of stating his cooler and more deliberate sentiments on the subject". Adams had already asserted "the right, — the undisputed, indisputable right, — of the United States to the territory of the Columbia, and an utter denial of any right on my part (Canning's), as British Minister, to interfere with their eventual arrangements on that head".

As he himself was without explicit instructions, Canning applied considerable time to examining Bagot's correspondence on the subject. After several hours' study of these dispatches, notably Castlereagh's instructions of February 4, 1818, and Bagot's reply of June 2, 1818, together with the Convention of the same year, Canning decided that in the previous negotiations "strong claims were advanced by both parties, and that although His Majesty's rights were reserved in full rigour, it was found convenient to abstain from pressing an immediate recognition of them, and also, perhaps, from recording them in any shape so distinct as eventually to prove embarrassing". He therefore concluded "as it

2 Ibid. 3 Ibid. 4 See above, pp. 16, 22 – 23.
5 See above, pp. 24 – 25. 6 This was the correct interpretation.
would be inconvenient for His Majesty to be brought to the alternative of either renouncing his claims altogether, or at once enforcing them at all risks, it is desirable to repress in its commencement any serious intention manifested by the United States to depart from the terms of the London Convention, but in such manner as not ostensibly to commit His Majesty's Government, without a clear and paramount necessity”.

With this laudable purpose in mind he waited on Adams a second time, but the latter's language, "though occasionally expressed in a more moderate tone, was in substance not less satisfactory than on the preceding day". He again insisted that any question must be made in writing and again asserted that Canning had no right to interfere until the London Convention had been violated. He again forced Canning to the defensive position of explaining his reasons for broaching the subject. The latter protested vainly that he was but trying to prevent future trouble and insisted on re-stating the British claim as he understood it.

The Ambassador was so disturbed by the unsatisfactory nature of the interview and the undisguised hostility of Adams as to supplement his official report (from which the above quotations are taken) with a second one in cypher. His mind was not yet at rest. A week later he wrote a full account of the incident in a personal letter to Joseph Planta, a great friend of his and secretary to the Foreign Minister, with a request that Castlereagh be furnished with the additional details.

1 Ibid.  2 Ibid.  3 Canning to Castlereagh, Jan. 30, 1821. F. O. 5, Vol. 157. This dispatch was written two days after the first one. Canning had the opportunity of sending it by a fast American vessel, as the mail packet was delayed.

2 See biographical note.
The latter document is very human. Poor Canning is utterly bewildered at the treatment he has received, rather afraid that his dignity has suffered, a little uncertain as to whether he has exceeded his instructions as Ambassador and full of conjectures as to the political meaning of Adams' attitude. The letter must be quoted in full to give a comprehensive impression of Canning's state of mind.

"Private

Washington, February 6th, 1821.

My dear Planta,

"You will learn from the dispatches, which I forward by this mail, that I have been lately engaged in a very unpleasant discussion with Mr. Adams, of which I am anxious to convey a correct impression to Lord Castlereagh. This, however, is no easy task; for Adams, as you know, is one of those incomprehensibles, whose conduct is not to be measured by any ordinary rules. I have exhausted my imagination in laboursing to account for his late explosion. Till then we were on excellent terms. Bearing in mind Lord Castlereagh's wishes, I had spared no pains to gain his good-will, and in spite of his continual coarseness, and rancorous enmity to England, had so far succeeded, that even in the midst of his wrath the other day, he affected to bewail the confidence with which he had treated me. In my official report I have confined myself to what passed on the political topic; but in truth I might have written a dispatch almost as long again on the rude and provoking treatment which I received at his hands, by way of episode, and which it was impossible for me to tolerate. I took care at the same time to keep strictly on the defensive, and though my manner was warm, and occasionally vehement,

Stratford Canning had no mean temper of his own.
when he assailed me, I feel confident that I gave him no room for mis-
understanding me.

"I am still at a loss whenever I try to fathom the meaning of this business. I cannot certainly imagine there is any change of policy in this Country towards us, though it is far from impossible that, 1 having now secured the Floridas, the Government may think it time to proceed to the measure next in course, and that the next may happen to be the occupation of the Columbia. With a man of hasty temper a good deal may doubtless be laid to the score of ill-humour; but ill-humour alone will hardly account for the tenour of his second conversation. He seemed determined to show clam on the subject of the Columbia; there was an evident determination to browbeat me, partly perhaps to enforce that diplomatic discipline, for which the present Government was not long since complimented by the newspapers, and partly to impress upon me, and through me upon Lord Castlereagh, a due sense of the resolution taken by this Country to maintain its claims at every hazard.

"Offended as I justly am with Mr. Adams I have thought it the most prudent part, on political grounds, to rest quietly upon the answers which I gave him at the time, and not, of my own accord, to carry an appearance of resentment into other transactions with him. I have taken care, with this view, to let nothing of what passed between us transpire; and far from suspecting that he has taken any other line, he has evidently sought me upon every occasion in which I have since encountered him in society.

"At the same time I must confess to you that, although I feel it my duty to show him, as before, all outward politeness and respect, it is next to impossible for me to forget his late conduct, which has
convinced me that it is next to impossible for anyone, unquestionably not for an Englishman, to be on other terms than those of a most reserved and guarded description.

"On my part nothing shall be wanting to avoid a repetition of such scenes, as the past; but if in spite of my endeavours he persists in the same line of coarseness and violence, I question whether I have the requisite humility and patience for enduring it. — I know not in what terms he may think proper to write to Rush, so I gave him to understand that I should be obliged to report his answers on the Columbia question to Lord Castlereagh, but it is right that you should be prepared in case of the subject being opened by Mr. Rush.

"I am far from undervaluing the capacity and attainments of Mr. Adams, but the singularity of his character is really a cruel aggravation of the difficulties connected with this Mission.

"The political part of this Columbia business must in all probability be cleared up before the approaching dissolution of Congress. Meantime Ld. C, will be in possession of what has passed upon the subject, and I dare say will apprize me of his views as soon as he can. I have endeavoured to act for the best.

"Believe me, my dear Planta,

Very truly yours,

S: C:

"P. S. I send with this a copy of the American Redbook for this year. It may be useful in the office.

"1

By the treaty with Spain in 1819.
Castlereagh's reply to the dispatch of January 28, which he did not receive until March 12, is a clear-cut illustration of the attitude of the British Government at that period.

"His Majesty does full justice to the Zeal for his Service which dictated the proceedings detailed in that dispatch, but in the present state of the question to which it has reference, It is not the King's intention that you should renew the discussions with the American Govt. relative to the Territory bordering upon the Columbia, without His Majesty's Special Instructions."

The Foreign Secretary then proceeded to instruct Canning as to his future conduct in that respect.

"Upon referring to the 3rd Art: of the Treaty signed in London in 1818, you will perceive, that the only arrangement proposed to be effectuated by that Instrument was a mutual Right of Intercourse with the Settlements of either State upon the Waters of the Pacific. The Rights of both Parties were saved for subsequent adjustment; but no attempt was made either to determine those Rights, to define what might be regarded as the Existing States of Occupation, or to preclude either Party from forming new Settlements within the disputed Territory during the period, viz. 10 years, for which the Privilege of mutual Intercourse was covenanted to be in force together with a Reservation of any Right

which the formation of such Settlement might either appear to impeach or Establish.

1 "Whatever therefore may be the Pretensions of Great Britain upon the Columbia River, they must be urged on antecedent grounds of Right, and the Argument cannot be affected either way by the Treaty of 1818, so long as no attempt shall be made by the Govt. of the United States, to exclude the British flag from such points of that Coast as may be in their Occupation.

2 The King's Govt. is disposed to regard the Representation made by you to Mr. Adams as an additional assertion of the Claim made on the part of His Brittanick Majesty in the Course of the Discussions in London, and subsequently put forward by Mr. Bagot in 1818. But it is not His Majesty's Intention under present Circumstances to provoke any discussion with the American Government on the final adjustment of those Claims.

2 "Whilst the Provisions of the 3rd Art: of the Treaty of 1818 continue in force, it is deemed the less necessary to enter into controversy with the United States relative to Settlement in Contemplation in that Quarter, the nature and Extent of which are yet but very imperfectly ascertained.

2 You will transmit any further information you may receive on this Subject to me, but you will avoid any further Step, which may either compromise your Govt., or lead the American Govt. to infer that It is the Intention of His Majesty's Govt. to take up this Question."

1 "Pretensions" is used throughout in its older sense; i. e., as a synonym for "claims".

It is obvious from the above that the British Government was quite content to let the matter rest. Interpreting the Treaty of 1818 from the correct angle they were not afraid of any new settlements the United States might make, as that Convention explicitly stated that such settlements would not in any way affect the claims of either nation. Nevertheless, as the future showed, such settlements did eventually decide the ownership of the disputed area. The terms of the treaty could never be carried out in practice in a manner in keeping with its spirit. It would have been a sheer impossibility to decide the question of future ownership without taking into consideration the wishes of the settlers occupying the country, no matter whether their settlements were established after the date of the agreement or not.

The geography of the region, too, was little known. Even in America the other side of the Rockies was "terra incognita", save to a few wandering trappers. In Great Britain, some five thousand miles away, ignorance of geographical conditions was even more pronounced. Great Britain, trying vainly at the time to divorce herself from European affairs, was not anxious to embroil herself in a quarrel with the United States over a region unknown in value and difficult of defense. Hence Stratford Canning's over-zealous efforts did not meet with the approval he probably anticipated.

Great Britain's anxiety to keep out of troublesome disputes was very real. Burdened by a tremendous debt, war was a luxury she could not afford and many times in the course of the decade, 1814 - 34, she was on the brink of it. Her relations with the United States were particularly uncertain. "When Mr. Canning came into power in 1822, 1

1 When George Canning succeeded Castlereagh as foreign secretary.
the condition of the question was such that, as Lord Castlereagh told
Mr. Rush, the American minister in London, war could be produced by holding
up a little finger."

Fortunately for Stratford Canning's peace of mind, the bill
of which he had complained to Adams was allowed to drop. It never
came up for the third reading. He acquainted Castlereagh with this
fact by a dispatch, dated March 7. Affairs reached their normal level
once more, so that on April 27 he informed the Foreign Secretary that
Adams, in an interview with him, had stressed the friendly feelings
held by the President for Great Britain.

Nevertheless the Ambassador was very careful to keep his
Government informed of all American attempts at settlement. On April 2,
1822, he reported that another bill calling for the occupation of the
Columbia has been permitted to lapse. On June 3, he wrote of the
rumour that a waggon train of one hundred and eighty persons was leaving
Stl Louis for the Columbia. On July 3 he noted that the "Dolphin",
a schooner, was on the point of setting out for the north-west coast.

So the time passed with little of importance happening.

In the House of Representatives and Senate a few radical members from

1 Harriet Martineau, A History of the Thirty Years' Peace, 1815 - 1846; Bell, London 1877: vol. 1, p. 124.
the Western states urged American occupation of Oregon; meanwhile Great Britain followed a policy of watchful waiting. British foreign affairs were dominated almost entirely by Viscount Castlereagh. On August 12, 1822, he committed suicide, his brain giving way under the strain of his public and private responsibilities. He was succeeded as Minister of Foreign Affairs by his younger and more liberal rival, George Canning.

1 See biographical note.
CHAPTER IV.

CANNING and the MONROE DOCTRINE, 1822 - 1827

George Canning's appointment to the office of Secretary of State for Foreign Affairs marked a new era in British diplomacy. Under his guidance Great Britain was to withdraw from any active participation in continental affairs, to attempt the Utopian policy of "splendid isolation" foredoomed to partial failure. Although he had been Castlereagh's personal enemy he had learned much from the work of his predecessor, therefore no clear-cut break in policy showed the change in leadership. On the other hand he was of the younger generation, less prone to follow the rigid paths traced out by the old school of diplomacy, more likely to cut his own trails when commonsense so dictated. He lacked Castlereagh's experience in European affairs and his grasp of politics. Sometimes, too, he acted a little hastily and evoked results not altogether in keeping with his plans. But he was not wanting in courtliness or tact, nor did he often fail to take advantage in full of any favourable opportunity that presented itself.

In political thought he was somewhat more of the liberal than Castlereagh; that had been one of the chief causes of their dislike for each other. On the other hand he was no radical. He favoured more the benevolent bestowal of privileges by a paternal aristocracy than the rude assumption of rights by the forward sons of the people. This was the man who prided himself on being the defender of oppressed nationalities and constitutional government and who was execrated in the aristocratic courts of Europe as the champion of liberalism in revolt.
The Oregon question was first brought to the attention of Canning in 1822 by a memorandum sent him by the Hudson's Bay Company. The previous year the Czar of Russia had issued a Ukase asserting full sovereignty over the Pacific Coast as far south as the 51st parallel of north latitude. The Company was afraid that their lines of communication in the northern interior would be endangered by such action. As a result Great Britain entered into negotiations with Russia. An agreement was reached in 1825, whereby Russian sovereignty was recognized north of the 54° 40' parallel of north latitude on the consideration that she would drop all her claims to territory south of that line. A similar treaty had been signed the preceding year between Russia and the United States, so that the northern boundary of Oregon was now definitely settled.

The following period must be viewed in the light of a new American declaration of policy, the Monroe Doctrine. To understand it, and the part played in its composition by Canning, it is necessary to turn to a brief consideration of European affairs. The American colonies of Spain had taken advantage of the helplessness of the Bourbon tyrant, Ferdinand, to follow the example of their northern neighbour and revolt against the mother country. Shortly afterwards, Spain herself had risen in rebellion and forced her monarch to grant a constitution. He, repudiating his pledges, turned for aid to the reactionary Quadruple Alliance of Metternich. The Allies had already intervened in Naples and Piedmont, using Austrian troops to replace the despots on their thrones: they now authorized France to crush the liberals in Spain. Great Britain alone made a formal protest and withdrew from the Alliance; the weak Ferdinand was restored to his old autocratic power with the
aid of the French bayonets. The Allies now turned to the Atlantic with thoughts of reconquering the revolted Spanish colonies. They reckoned without Britain. The latter had no desire to see her cherished principles drowned in a sea of blood, nor did she wish her most recent customers and most prosperous markets placed once more under the restrictive navigation laws of Spain. Canning made it plain that the British fleet would prevent intervention by any country but Spain herself.

Standing alone in Europe, he looked for support from the United States, the only other strong power that would suffer from the restoration of the colonies. He suggested that the United States should join him in his declaration.

John Quincy Adams, American Secretary of State, had no intention of playing second fiddle to Great Britain's lead. In discussing the negotiations with Russia provoked by the Ukase of 1821, he had said to Rush, "A necessary consequence of this state of things, will be, that the American continents, henceforth, will no longer be subject to colonization. Occupied by civilized, independent nations, they will be accessible to Europeans, and each other, on that footing alone; and the Pacific Ocean in every part of it, will remain open to the navigation of all nations, in like manner with the Atlantic." He and other prominent advisers counselled the President to issue the declaration which surprised and shocked not only the autocrats of Europe but Canning as well. In December, 1823, in his message to Congress, Monroe gave notice that


2 Message from the President of the United States, Transmitting the Correspondence with the British Government in Relation to the Boundary of the United States on the Pacific Ocean, January 31, 1826; Gales and Seaton, Washington 1826.
any attempt made by the absolute powers of Eurppe "to extend their system to any portion of this continent" would be regarded "as dangerous to our peace and safety". Up to this point the statement was only what Canning desired, but Monroe went one step further.

"Whilst alluding to discussions between the United States and Russia, then commenced with a view to arranging the respective claims of the two nations on the North West Coast of America, the President also declared, 'that the occasion had been judged proper for asserting, as a principle in which the rights and interests of the United States were involved, that the American Continents, by the free and independent condition which they had assumed and maintained, were henceforth not to be considered as subjects for future colonization by any European Power.'"

This was an altogether unexpected blow to Canning's schemes. Great Britain was placed in the anomalous position of supporting, with her fleet, a doctrine in which she could not concur and which she dare not oppose. In need of American help, she was compelled to entrench the Monroe Doctrine in a strong position, to protect it at birth and through its infancy; yet, as a European power, she was passively subscribing to her own exclusion from American affairs. Although Canning had proudly boasted when he recognized the independence of the Spanish colonies that he had called in the New World to redress the balance of the Old, he soon realized that he had been out-maneuvered by Adams and Monroe.

2 Rush, 1845; op. cit.; p. 457.
Meanwhile the Russian negotiations were already under way. Accordingly, on the morning of December 12, Canning asked Rush for information regarding the American claims to the Oregon country, so that he would be able to instruct Bagot, then ambassador at St. Petersburg. Both the United States and Great Britain hoped they could come to some agreement so as to present a united front to Russia. In that way they would have been able to sign a joint treaty settling the southern limit of the Russian settlements in Alaska. On the seventeenth Rush waited on Canning with his report and found him confined to the house with gout. The latter "went into no remarks, beyond simply intimating that our claims seemed much beyond anything England had anticipated".

The following day a servant called on Rush asking him to interview Canning again. The latter had been re-reading the report and required an explanation of the following item:

"The United States will agree to make no settlement north of fifty-one, on Great Britain's agreeing to make none south of that line or north of fifty-five."

When Rush had made it clear that the United States claimed everything south of the fifty-first parallel of north latitude, the matter was dropped for a few days. On January 2, he called on Canning again. The latter objected strenuously to the American claim, pointing out that Great Britain had refused to recognize a similar Spanish claim in the Nootka dispute and that her position had not changed. He also stated that Great Britain could not recognize the Monroe Doctrine, and

1 See above, p. 45.  
2 Rush, 1845; op. cit.; p. 468.  
3 Ibid., p. 469.
that until it was satisfactorily explained it would be impossible to join the United States in the Russian negotiations. Three days later Rush received a note affirming the decision that, in view of the Monroe Doctrine, England would be compelled to carry on the discussions with Russia separately. In this Rush had no alternative but to acquiesce.

Nevertheless, the attempt to settle the Oregon question was not dropped. In response to a British suggestion in June, 1824, negotiations were instituted between representatives of the Foreign Office and Rush. They are interesting, not because of their results, but because they illustrate clearly a determined effort on the part of the United States to apply the Monroe Doctrine and an equally determined refusal on the part of the British Government to accept it. Rush, time and time again, expresses his surprise at the vigorous nature of the British claims, despite the commonly accepted theory of today that she was almost indifferent in defending her interests in Oregon. He comments that the British claims "proved, on formally and accurately disclosing themselves, to be far more extensive than I had believed, and were advanced in a manner more confident than I had even then anticipated".

In the opening conference Rush suggested that, under the provisions of the Monroe Doctrine, the United States would oppose any settlements by the British below the fifty-first parallel, but that they would consent to the establishment of the boundary there. Failing an agreement, he proposed that the Convention of 1818 be extended for ten years longer. The British delegates replied in uncompromising terms

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1 Rush, 1845; op. cit.; p. 503.  
2 The British delegates were Stratford Canning and Huskisson (See biographical note).
Territory in dispute, 1824-1846.
that they must refuse to recognize the Monroe Doctrine and refuse to recognize any exclusive rights of the United States in the disputed territory. They denied unequivocally any shadow of justice in the American claims by discovery, but asserted their own right to settle anywhere north of the forty-second parallel. They objected particularly to activity in the United States legislature, considering it to be contrary to the spirit of the agreement, made in 1818. On the other hand they declared their willingness to draw the boundary due west "along the 49th parallel of latitude, to the point where it strikes the northeasternmost branch of the Columbia, and thence, down, along the middle of the Columbia, to the Pacific Ocean; the navigation of this river to be forever free to subjects and citizens of both nations". No settlements were to be allowed in each other's territory, except those already established, for a period of ten years.

Negotiations started so inauspiciously were foredoomed to failure. Rush refused the British proposal and suggested instead the forty-ninth parallel as a boundary, but the English refused to accede, stating that "the boundary marked out in their own written proposal, was one from which the United States must not expect Great Britain to depart". Later conferences brought no further agreement, as neither

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1 Stratford Canning has at last an opportunity to justify his own stand in 1821. See above, Ch. III.
2 Rush, 1845; op. cit.; p. 607. From this period on, the position of the two disputants does not vary to an appreciable extent; Great Britain is willing to concede any land south of the Columbia; the United States will relinquish any land north of 49°. From 1824 to 1846, the only territory really in dispute is that lying between the Columbia River and the forty-ninth parallel.
3 Rush, 1845; op. cit.; p. 609.
nation would admit the other's claims. Hence Rush thought that "it would be advisable to attempt a settlement on terms of mutual convenience, setting aside for that purpose the discordant principles on which the separate claims were founded ".

Even on this basis they could reach no conclusion, so that the conferences ended where they began, in the application of the Monroe Doctrine to the Columbia territory by Bush and in its denial by the British delegates.

"The British Plenipotentiaries asserted, in utter denial of the above principle, that they considered the unoccupied parts of America just as much open as heretofore to colonization by Great Britain, as well as by other European powers, agreeably to the Convention of 1790, between the British and Spanish Governments, and that the United States would have no right whatever to take umbrage at the establishment of new colonies from Europe in any such parts of the American continents."

Such an open denial shows that Canning never acquiesced in the Monroe Doctrine, that he regarded it in the same light as any other European statesman of the time; namely, as an unwarranted interference with the activities of European countries in America.

Rush's views on the whole question, especially his conception of the British attitude to the retention of Oregon, are illuminating, for he not only played an active part in the negotiations but was a shrewd

1
Rush, 1845; op. cit.; p. 628.

2
Ibid.; p. 629.

3
If any other proof is needed, Rush distinctly stated in a letter to Adams, dated August 12, 1824, that the British plenipotentiaries asserted, "Great Britain was wholly unprepared to admit the American claims, especially, that which aimed at interdicting her from the right of future colonization in America." Message from the President; op. cit.; p. 17.
observer as well. Early in 1824 he regarded it as strange that Great Britain should be so anxious to establish her sovereignty over the Columbia district.

"A nation whose dominions in Europe placed her in the front rank of power; whose fleets predominated on the ocean; who had subjects in Asia too numerous to be counted; whose flag was planted at the Cape of Good Hope, and other posts in Africa; who had Gibraltar and Malta and Heligoland, enabling her to watch the Mediterranean and Baltic; who had an empire in the West Indies, as in the East; and, added to all, vast continental colonies in America — this nation was anxiously contending for territorial rights in deep forests beyond the Rocky Mountains, and on shores which the waters of the northern Pacific wash in solitude!"

"And however strong our own convictions as to the just foundation of the whole of our claim on that coast and in its interior, the convictions of Great Britain in the stable nature of her right, that interferes so materially with ours, is not less decide and unequivocal. Nor will she push it with less zeal; not more on the general ground of her maritime and commercial enterprise, which are only stopped by the limits of the globe, than on her special desire to foster the growing interests of her colonial settlements all over this continent, and those of the trading companies that issue from them."

These views of a man whose business it was to know the various shades of political opinion in Great Britain tend to disprove the theory that the disposition of Oregon was a matter of indifference in the '20's. It is interesting to note also that in spite of the failure of the late

Rush, 1833; op. cit.; pp. 373-4.
negotiation, Rush had not given up hope of a peaceful solution. "The simple remark I will make is, that, so far as the Oregon question is concerned, the field, in my opinion, is still ample, and with a choice of modes, for settling that dispute, without any sacrifice of the honour or interests of either the United States or Great Britain."

The interval from August, 1824, to April, 1826, was not productive of any fresh offers to negotiate. The British Foreign Office was, however, keeping a close watch on the progress of affairs in the United States, where the question of the occupation of Oregon was being considered in both houses of the legislature. The Presidential Message of December, 1825, had urged the establishment of a line of military posts along the Columbia. Accordingly a bill providing for the adoption of such measures and the organization of a territorial government west of the Rockies passed the House of Representatives, only to be vetoed by the Senate. The same suggestion was made the next year, but was again thrown out by the Senate. The British Foreign Office regarded these measures as being somewhat of a violation of the spirit, if not the letter, of the Convention of 1818, but no protest was made.

The rapid approach of the time when the Convention would expire, however, prompted the re-opening of negotiations. Rufus King, who

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1 Rush, 1845; op. cit.; p. 638. John Quincy Adams became President in 1825, but his election was a peculiar one. (Vide Fish; op. cit.; pp. 174 - 7.) None of the four presidential candidates received a majority in the electoral college. The Senate, therefore, had to choose from the three leading candidates, Jackson, Adams and Crawford. Clay, the fourth candidate, swung his vote to Adams, defeating Jackson. Later, Clay was made Secretary of State, thus giving credence to the claim made by Jackson's supporters that there had been an alliance of "the Puritan and the blackleg." Opposition in both houses to Adams was very strong.

2 See biographical note.
had succeeded Rush as ambassador to London, received a note from Canning on April 20, desiring to know if he was supplied with instructions to resume the discussions on the Oregon boundary. He was informed in this note that Huskisson and Addington were "perfectly prepared to enter into conferences with Mr. King thereupon; and either to renew the proposal brought forward by Mr. Huskisson and Mr. Stratford Canning in the Conference of the 13th of July, 1824, and yet unanswered; — or to bring forward another; — or to discuss any new proposal on the same subject which may be suggested on the part of the Plenipotentiary of the United States." King replied that hitherto he had received only general powers and must await particular instructions on the subject.

Meanwhile Addington was preparing a report on the whole question for the use of the British delegates, especially stressing the American attitude. In a paper, dated May 2, he comments on the two latest Columbia occupation bills and notes the impression apparently current in America that Great Britain is indifferent to the fate of the country in dispute.

"An article appeared in the ministerial journal edited at Washington in which, amongst a variety of observations in favour of the American pretensions, the British Government are represented as being evidently conscious of the unsoundness of their case, from the feeble manner in which they have supported it."

He then proceeds to show just how important he supposes the question to be to the British Government, by stating that the American

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people, and possibly even the American executive, while asserting the Monroe Doctrine so vigorously, have not calculated on Great Britain's being ready to go to war on the question. Quoting further from his report:

"The Columbia River will, I apprehend, become one day a source of rupture between Great Britain and America, but the present friendly sentiments which subsist between the two nations render it highly improbable that the Americans would be willing to hazard a rupture for so inadequate a cause."

His advice is to publish and present to Parliament the substance of the British case to date, in order to show that Great Britain is not passive regarding the dispute and "to show the American public that Great Britain has a claim which she is ready to enforce".

In a further memorandum, dated May 10, he reviews the claims of both nations, pointing out the strength and weakness of each. He concludes these notes by propounding the limit to which the British concessions should go.

"Whatever advantage, however, the Americans may take in argument of these omissions, they cannot, in the smallest degree, affect our claims to that part of the Country, at least, which lies on the North side of the Columbia River, nor our right to the unrestricted navigation of the River itself, which are all that Great Britain desires to insure the possession of, having distinctly signified her willingness to abandon, on certain conditions, all her pretensions to the Territory south of

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1 Addington's paper, May 2; op. cit.; 2 Ibid. 3 Addington recognizes the weakness of the British position in regard to the restoration of Astoria. See above, pp. 16-20. 4 See above, p. 50.
These views of an official in the Foreign Office, a man who was to take a leading part in the negotiations of 1828, are clearly indicative of the British position at that time. Great Britain was convinced of her rights and, although desirous of friendly intercourse if possible, was ready to go to war for those rights if they were utterly denied. To remove a cause for future trouble, however, she was prepared to offer certain concessions; namely, to abandon all claims south of the Columbia, provided that she obtained free navigation of that river.

Huskisson and Addington were chosen to treat with Albert Gallatin, Rufus King's successor. A letter in the Foreign Office shows that they were in close communication with the Hudson's Bay Company, so that the influence of that powerful organization cannot wholly be ignored. The plenipotentiaries received their appointment and instructions on November 10, 1826. When considering the Oregon boundary they are warned:

"Upon this point the views of His Majesty's Government remain unchanged, since the moment when the subject was discussed in 1824. ...

It is obvious that until His Majesty's Government shall have been made acquainted with the manner in which the project of the settlement on that question, which was put in on their part, shall have

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2 It is significant that Fort Vancouver, the Hudson's Bay Company headquarters in Oregon built in 1825, was placed on the north bank of the river.
3 See biographical note. Pelley to Huskisson, dated August 4, 1826, and containing a memorandum of the British claims to Oregon. F. O. 5, Vol. 222.
been received by the American Government, it will be needless to furnish
you with specific instructions on that head.

"You will therefore in the first instance confine yourselves
to receiving from the American Plenipotentiary whatever communication
he may be authorized to make upon that subject, and, without further
discussion, transmit that communication to me."

The negotiations were accordingly commenced, the question of
the boundary being introduced by the British, "alleging as the ground
of our proposition the expediency of providing beforetimes against the
expiration (in 1828) of the Convention of 1818, by which our present
mutual relations with respect to that country are regulated". Gallatin
concurred but pleaded for time to obtain fuller instructions from Washing-
ton. Meanwhile he urged the American claims to "the exclusive Sovereignty
of the Country lying between the 42nd and 49th parallels of North latitude,
West of the Rocky Mountains", stressing especially the importance of the
Astoria settlement. To this the British replied that "The North Western
Traders had been in the habit of frequenting it for purposes of hunting,
and trading with the Natives, and that they had, for these objects, estab-
lished small posts in various parts of the Country. - From these posts
on the upper waters of the Columbia it was, that in 1810, hearing of
an American post near the mouth of the River, (the first and only American
post ever established in that territory) they immediately proceeded
down the River to that spot, in order to ascertain the nature of the

3 Ibid.
settlement then forming there."

One characteristic of the British claim, in contrast to the American, was stressed by Huskisson.

"There was, we said, this fundamental difference between the conduct and pretensions of the United States, and those of Great Britain in respect to the Country in question. The former had claim to it in full and exclusive sovereignty, the latter only in joint occupancy with others."

In consideration of this Great Britain was ready to compromise on a boundary, but otherwise would "adhere to the principles of the Convention of 1790". A warning was added that, "should any attempt be made to dispossess any British Subject of any part of the Country, in violation of the Convention, such attempt could only be regarded as an act of hostile aggression". Following Canning's instructions, Gallatin was asked to advance a proposition.

In the second conference, on November 22, Gallatin offered the British the forty-ninth parallel as a boundary, with the additional clause that free navigation of the Columbia would be granted if the forty-ninth parallel should strike it at a navigable portion. This proposal was communicated to Canning, who refused it, stating:

"A stipulation thus purely conjectural can never form a part of a National Compact."

"It must necessarily be declined by Great Britain."

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1 Ibid. The date is wrong. Thompson reached Astoria in 1811.
2 Ibid.
3 Ibid. The Nootka Convention between Spain and Britain.
4 Ibid. Canning to Huskisson and Addington, Nov. 30, 1826.
Additional concessions
offered by England 1826.

--- first offer.
--- second offer.
He then proceeds to give, in order, the alternative concessions that Great Britain would be prepared to make.

"Since it appears that along the whole Coast, from the limits of the United States to De Fuca's Straits, there is no Port or Roadstead fitted for the reception of Ships of War, it is natural that the United States should desire such an accommodation, especially since, in the present state of the relations in regard to these Countries, they are entitled to the joint use of all the Harbours on that Coast in common with ourselves and others.

"This being the case, it has seemed fit to His Majesty's Government, that you should be authorized to offer Mr. Gallatin, provided that the United States consent to the retention by Great Britain of the Columbia River as her Southern Frontier, the use and Sovereignty (so far as the same can be conveyed by any surrender and concessions of ours) of the Harbour in De Fuca's Gulf, called by Vancouver Port Discovery, with a radius of Land five miles in Breadth encircling that Harbour.

"Should this offer not fully satisfy Mr. Gallatin, you are authorized to extend the proposition so as to include the cession by Great Britain to the United States of the whole Peninsula comprised within lines described by the Pacific to the West, de Fuca's Inlet to the North, Hood's Canal (so called in Vancouver's Charts) to the East, and a Line drawn from the Southern part of Hood's Canal to a point ten miles south of Gray's Harbour to the South; by which arrangement the United States will possess that Peninsula in exclusive sovereignty, and will divide the possession of 'Admiralty Inlet' with Great Britain,

\[\text{Note the care with which he stresses the fact that Great Britain's claim is only in common with other nations.}\]
the Entrance being free to both parties.

"You may also add to this proposal that of inserting a stipulation in the Convention, by which these matters will be regulated, whereby the Navigation of the Columbia River shall be rendered perfectly free and open to both Parties, neither Party being at liberty to erect on either Bank of that River, or at or near its mouth, any work by which such free Navigation can be in any way impeded or controuled (sic)."

Three things were not to be conceded; any portion of Vancouver's Island, because of the risk of future collision there; any more of the shores of the Inlet, because in that case the United States would completely control it; the free navigation of the Columbia, as it is the only outlet for the trade of the settlers on its headwaters.

"Such being the state of the case, should Mr. Gallatin reject the proposition which you are hereby authorized to make to him, it will then only remain for you, in expressing your regret that all the anxious and friendly efforts of your Government have failed in their effect, to propose a renewal, for twenty, or for fifteen years, from the date of the ratification, of the provision contained in the third Article of the Convention of London of 1818, by which the Commercial Intercourse with the Country in Dispute is regulated, and the territorial claim mutually reserved.

"In executing this last Instruction, however, you will take particular care so to word the Convention as that neither Party shall have the power of assuming or exercising any act of Sovereignty within the Territory which forms the Subject of it, to the exclusion of the
rights of the other."

In the ensuing conferences, Huskisson and Addington proffered each of the above concessions in turn, save for the last, but were met with an uncompromising refusal from Gallatin, who re-iterated his former proposal. In the sixth conference, on December 16, both sides drew up a formal statement of their claims for future reference.

There was a slight clash over the matter of the Astoria cession, introduced by Gallatin as an evidence of Great Britain's recognition of the American position. In their report to Canning the British plenipotentiaries state:

"Particular care, however, was taken on this occasion to prevent any misapprehension as to the extent of the concession made by Great Britain.

"Viscount Castlereagh in directing the British Minister at Washington to instruct Mr. Adams, the Secretary of State, uses this expression in a dispatch, dated 4th February, 1813,

"'You will observe that whilst this Government is not disposed to contest with the American Government, the point of possession as it stood in the Columbia River at the point of rupture, they are not prepared to admit the validity of the Title of the Government of the United States to THIS Settlement.

"In signifying therefore to Mr. Adams the full acquiescence of your Government in the re-occupation of the limited position which the United States held in that River at the breaking out of the War, you will at the same time assert in suitable terms, the Claim of Great

1 Ibid.
Britain to that territory, upon which the American Settlement must be considered as an encroachment."

"This instruction was executed verbally by the person to whom it was addressed.

"In the whole of the Territory in question the Citizens of the United States have not a single settlement or trading Post.

"To carry into effect this proposal on our part, Great Britain would have to give up Posts, and Settlements South of the Columbia. On the part of the United States, there could be no reciprocal withdrawing from actual occupation, as there is not, and never has been, a single American citizen, settled North of the Columbia."

In the course of the negotiations, when it became obvious that no agreement could be reached, Gallatin proposed that a partial settlement be made, so that future disputes could be confined to a narrower area of "debateable ground". This suggestion did not meet with British approval, so it was allowed to pass by unheeded.

Gallatin also asserted that the American Government had no intention of introducing the Monroe Doctrine into the discussions, as the Committee on the Columbia River in the House of Representatives had disclaimed the principle. "It could not be expected, Mr. Gallatin added, that a Government should go further than this, in renouncing a doctrine once avowed by them; but we might judge of their intentions by their acts."

It was plain to the negotiators that the time for settlement was not yet ripe, so the English advanced their last proposal, to renew the Convention of 1818, for a term of fifteen years. At the same time they outlined the British position:

"Great Britain claims no exclusive sovereignty over any portion of that Territory.

"Her present claim, not in respect to any part, but to the whole, is limited to a right of joint occupancy in common with other States, leaving the right of exclusive dominion in abeyance.

"In other words, the pretensions of the United States, tend to the ejection of all other Nations, and among the rest, Great Britain from all right of settlement in the district claimed by the United States. — The pretensions of Great Britain, on the contrary, tend to the mere maintenance of her own rights, in resistance to the exclusive character of the pretensions of the United States."

Gallatin did not feel prepared to answer until he had received instructions from Washington, so that the conferences were not resumed until after the New Year. Some difficulty arose over the reluctance of the United States to agree not to establish a military post on the Columbia. The British proposal to renew the Convention of 1818 had also included a supplementary article to read:

"For the more effectual prevention of such disputes and differences it is further agreed, that during the said term of fifteen years, neither of the Contracting Parties, shall assume, or exercise any right of exclusive Sovereignty or Dominion, over any part of the said Country;

nor shall any settlement, which may now exist, or which may hereafter be formed therein by either Party, during the said term of fifteen years, be at any time, adduced in support, or furtherance of any claim to such Sovereignty or Dominion."

This proposed article met with a great deal of opposition in the United States, where it was said that such an agreement would prejudice their claims.

Meanwhile two changes had taken place in Great Britain. Canning became Prime Minister and Viscount Dudley and Ward took his place in the Foreign Office. Huskisson became Colonial Secretary, necessitating the appointment of Grant to succeed him as special plenipotentiary.

When the American reply came, it was found that the British offer had been rejected, but that Washington would be willing to renew the Convention of 1818 if the offending article were deleted. To this latter provision the British delegates would not agree, but suggested that if the United States would promise to establish no military posts they might receive the proposition favourably. With this opinion Dudley concurred, saying:

"It is certainly not easy to perceive what present and substantial advantage we derive under the existing agreement, construed as it is by the United States, which we should not equally draw from no agreement at all."

He was disposed to drop the negotiations altogether and carry

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1 British claims; op. cit.
2 See biographical note.
them on later through other channels, but he finally decided that, under certain conditions, the American proposal might be accepted.

"Should the American Plenipotentiary, however, appear disposed to modify the proposal so as to give that renewal a merely temporary character, and to make it subsidiary to a more definite act of settlement, for securing which measures should be adopted by both parties without unnecessary delay, I should not, in that case, object to such a renewal."

In such an event, this "may be attended by a certain moral effect on the minds of the American Government and people, especially when coupled with the publicity which will be given in America to the discussions on that subject, which may operate in delivering them from the commission of any act which might tend to produce its dissolution.

"You may therefore declare yourselves not averse to taking into consideration such a proposal if made; but it is desirable that the proposal itself should come from the American Plenipotentiary, and that You should merely acquiesce in it."

In accordance with this prophecy, an indefinite renewal was agreed to and embodied in a convention, on August 6, 1827. In the preamble to the Convention it is noted that one reason for its existence is to give further time for the consideration of "measures which shall have for their object a more definite settlement of the claims of each Party to the said Territory."

The four articles of the treaty follow:

"Art. I. " All the provisions of the third article of the convention concluded between the United States of America and His Majesty the King

1 Ibid. 2 Ibid. 3 Malloy; op. cit.; p. 643.
of the United Kingdom of Great Britain and Ireland on the twentieth
of October, 1818, shall be, and they are hereby, further indefinitely
extended and continued in force, in the same manner as if all the pro-
visions of the said article were herein specifically recited.

"Art. II. " It shall be competent, however, to either of the contracting
parties, in case either should think fit, at any time after the twentieth
of October, 1828, on giving due notice of twelve months to the other
contracting party, to annul and abrogate this convention: and it shall,
in such case, be accordingly entirely annulled and abrogated, after the
expiration of the said term of notice.

"Art. III. " Nothing contained in this convention, or in the third
article of the convention of the twentieth of October, 1818, hereby con-
tinued 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. "

The fourth article provided that the convention should be
ratified within nine months of the signing of the treaty.

Dudley recognized that the question was still far from solution
and that the renewal of the London Convention was only a postponement
of the eventual, necessary settlement. With his disclosure to Vaughan
at Washington of what had been decide in London he included an explanation
of the British policy, marked "Separate and Confidential- Secret":

"You will perceive that the effect of what has been agreed
to with regard to the North Western Boundary, amounts only to a postpone-
ment and not to a decision of that question. - This however is what
has appeared to both the American Plenipotentiary and ourselves the most

1 Malloy; op. cit.; p. 544.  
2 See biographical note.
eligible course. — No practical inconvenience can result from this suspending the decision, and in the interval, as Mr. Gallatin hopes, the subject will either be better understood in the United States, and the Government there in consequence more able as well as more willing to come to a full and satisfactory adjustment, — or, if unfortunately peace betwixt the two Countries should be interrupted, — this question will be absorbed in greater interests, and its fate ultimately governed by the result of a contest engaged in upon other grounds. 1

While the Senate of the United States was debating the ratification of the Treaty, Mr. Floyd of Virginia introduced a bill into the House of Representatives, calling for immediate occupation of the disputed district. This bill received considerable support from the opponents of the renewal of the Convention of 1813. Vaughan was so alarmed that he protested to Clay, the Secretary of State. Clay reassured him that the bill was sure to fail to pass and that it carried no official support.

In the Senate, too, the representatives of the Southern and Western states opposed ratification. Flaring denunciations of a treaty which allegedly sacrificed the best interests of the West failed to change the opinions of the wealthy merchants of the Eastern states. On February 9, 1828, Vaughan was able to dispatch the good news that the Senate had ratified the treaty four days before.

CHAPTER V.

INACTION, 1828 - 1841

The treaty of 1827 was followed by a period of inactivity in Great Britain as far as the Oregon question was concerned. To find the reason it is necessary to turn to domestic affairs in Great Britain, where many important problems were engaging the whole attention of the Government. The early phases of the Industrial Revolution were already bearing fruit in the demands for reform of factories, suffrage and living standards. The period begins with the emancipation of Protestant dissenters in 1828; it closes with Peel's reduction of the tariff in 1842.

The political situation was bewildering in its changes. The Tories had been in power, with one slight interruption, since the close of the American Revolution. Lord Liverpool held office as Prime Minister from 1815 until his nervous breakdown in 1827. The real leader of the Government was, however, Lord Castlereagh, the Foreign Secretary, whom the Liberals at home identified with the repressive policy of the Quadruple Alliance on the Continent. A tremendous war debt and administrative extravagance were the causes of extremely high taxation. An attempt was made to stifle the growing demand for reform by savagely repressive measures, culminating in the Peterloo massacre of 1819. Popular opinion was now definitely anti-Tory so that even the notorious Six Acts of 1819 could not suppress opposition.

Coupled with the unpopularity of the Government was the unpopularity of the royal family. George III.'s insanity after 1810 compelled the regency of the Prince of Wales. The latter was a selfish debauchee,
who celebrated his accession to the throne in 1820 by an attempt to divorce his Queen, on a charge of adultery. The affair only served to heighten public disgust. George IV.'s brothers, one of whom reigned as William IV. from 1820 to 1830, were similarly unpopular.

The suicide of Castlereagh, in 1822, left the way open for a more moderate policy. Canning succeeded Castlereagh as Foreign Secretary and real leader of the Cabinet, Canning who was the chief among the liberal Tories. The retirement of Liverpool made Canning Prime Minister. He rid the cabinet of the more reactionary Tories, and England seemed well on the way to reform. The policy of "non-intervention" in foreign affairs was coupled with improvements at home. Peel established an efficient police force in London. Huskisson passed the Reciprocity of Duties Act in 1823, lowering the duties on many products. The work of the liberals was cut short by the death of Canning in 1827. For a few months the Government held together under Goderich, but then once more gave way to the forces of reaction.

The Duke of Wellington held power until 1830. Even under his conservative régime the acts restoring political rights to Protestant dissenters (1828) and to Roman Catholics (1829) were passed. The Government stood firm, however, against parliamentary reform, and in the elections of 1830 the Whigs, under Earl Grey, came into power, strengthened by the remnants of the Canningites.

The greatest reform measure of the Whigs was the Parliamentary Reform Bill of 1832, the first great extension of the suffrage. Other reforms under Grey and Melbourne (Prime Minister in the latter part of 1834) were the Municipal Corporations Act (actually carried by Peel

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See biographical notes.
though a Whig measure), the Poor Law Amendment Act, the Factory Act of 1833, and the Burgh Act for Scotland in 1833.

Peel's Tory government of 1834 - 35 carried on the work of reform, but was again replaced by the Whigs under Melbourne, who held power until 1841. Peel's second term of power, 1841 to 1846, was conspicuous because of the repeal of the Corn Laws, measures originally intended to encourage the growing of grain in England but which had since come to be merely artificial means of enriching English landowners by keeping up the price of bread. Peel's advocacy of the repeal cost him the support of the more conservative Tories and caused his fall from power in 1846.

In such a period of unprecedented activity at home, it is little wonder that no very determined effort was made to re-open a most unpleasant question in America. Nevertheless, the Foreign Office kept its usual careful check on activity in the United States concerning Oregon.

On March 4, 1828, scarcely a month after the ratification of the last treaty, Vaughan noted the presentation of a memorial in the House of Representatives, asking for the establishment of a colony between the 46th and 49th parallels.

Anthony St. John Baker, the Chargé d'Affaires at Washington, also saw fit to acquaint the Foreign Secretary on June 11 that,

"In connection with this subject it may be right to state that the usual Bill for establishing a military post at the mouth of the Oregon River, for the purpose of more effectually encouraging the Chinese and Fur Trades, again went through the several preliminary stages,

and was again laid aside."

Further motions in the American Legislature were reported on January 12, 1829, on March 12, 1831, and on April 5, 1832.

The organization of a company in 1831, which rejoiced in the high-sounding name of "The American Society for Encouraging the Settlement of the Oregon Territory, and its subsequent activities in the Eastern states, showed the British Ambassador just how interested the American people were in the virgin lands bordering the Columbia. In the following year he decided to advance a suggestion to the Home Government. The American President had offered to reopen negotiations. Vaughan considered that "it was not expedient that His Majesty's Government should embrace the offer of the President to open a new negotiation, without requiring further explanation from the Government of the United States."

In place of this he suggested "to the consideration of His Majesty's Government, whether it would be worth while to secure a good frontier for our well-placed and thriving Provinces on the North-Eastern side of the United States, by a sacrifice of the Columbia River on the North West", pointing out that Great Britain had made but little use

6 The boundary between New Brunswick and Maine was not settled until the Webster-Ashburton Treaty of 1842.
of the latter river while the United States undoubtedly desired it. This suggestion seems to have met with little favour from the British Foreign Office.

In the next decade there was an influx of American settlers into Oregon. At first a mere trickle of missionaries and traders, it gradually increased until it assumed the proportions, by 1845, of an ever-broadening flood.

The ostensible purpose of the pioneer clergy was the laudable one of Christianizing the heathen that ranged the trackless forests. Their own material welfare was not, however, a matter entirely of secondary importance: soon their more altruistic endeavours seem to have retired into the background, giving way to the stronger, though less worthy, calls of personal ambition. A letter from one of these early missionary settlers to a government official discloses a curious blend of the two motives.

"The exclusive object of the missions is the benefit of the Indian tribes west of the Rocky mountains. But to accomplish this object, it is found necessary to cultivate the soil, erect dwelling-houses and school-houses, build mills, and in fact, introduce all the necessaries and helps of a civilized colony.

"First. We need a guarantee from the Government that the possession of the land we take up, and the improvements we make upon it, will be secured to us. These settlements will greatly increase the value of the Government domain in that country, should the Indian title ever be extinguished. And we cannot but expect, therefore, that those who have been pioneers in this arduous work, will be liberally dealt with in this matter. "
Another early American traveller in Oregon, Wyeth, furnished a memoir for the same report, surveying exhaustively the condition and resources of the territory. He was not unfavourable to the Hudson's Bay Company officials, who had treated him well. He noted that the fur trade, then of paramount importance in the territory, "must soon decrease", to be replaced by agriculture and lumbering. He also furnished a brief description of all the Hudson's Bay Company posts in the territory, pointing out their weakness for purposes of defence.

Less than two years later, Sir George Simpson, governor of the Hudson's Bay Company, made a tour of the posts from Millbank Sound to California. In his report, dated November 25, 1841, he expressed surprise at the "prosperous condition of the infant settlement" on the Willamette River, where there were then about five hundred settlers. He, too, found that the position of Fort Vancouver was unsatisfactory for headquarters, due to the difficulty of navigating the Columbia River, and suggested the southern end of Vancouver's Island as a good site for a new post.

Although it was not recognized at the time, the Oregon question was entering on a new phase. While the statesmen of two countries were endeavouring to settle on a line of demarcation by academic and legal discussions, far removed from the realities, rugged settlers,

1 Jason Lee to Cushing, Supplemental Report of the Committee of Foreign Affairs on the Territory of Oregon; to accompany House of Representatives No. 976, Feb. 16, 1839; p. 3.
4 Douglas was sent by McLoughlin in 1842 to find a site for the new headquarters. On the latter's recommendation, and under his direction, Fort Victoria was built the next year. The headquarters were moved there in 1849.
mostly of American blood, were settling in Oregon. The era of the trading company was passing before that of the independent agriculturalist. The paddle of the voyageur and the rifle of the trapper were yielding to the axe of the lumberman and the plough of the farmer. These new occupants of the country were the men who would finally decide its disposition.

Meanwhile, in Great Britain, Lord Melbourne’s ministry had been succeeded by that of Peel. Lord Aberdeen, notably of pacifist tendencies, succeeded Palmerston in the Foreign Office.

See biographical notes.
CHAPTER VI.

The WEBSTER — ASHBURTON TREATY

When the Whig ministry was defeated in the general election of 1841, Sir Robert Peel, leader of the Tory party, became Prime Minister. Lord Aberdeen was chosen by him to fill the post of Secretary of State for Foreign Affairs.

The new government faced a crisis. Domestic affairs were in a tangled state. The Exchequer faced a huge deficit, while expenditure outran revenue; the poorer people of England demanded cheaper bread; rebellion loomed in Ireland; religious dissension shook Scotland. Foreign affairs were in no better condition. War in Afghanistan had proved disastrous to British troops; new troubles distracted India; the Aroostook War in America had brought the boundary dispute between New Brunswick and Maine to a head; the new settlers in Oregon were clamouring for the extension of law and order over them.

Peel was a man well-fitted to cope with difficulties such as these. From the very form of British parliamentary government he was dependent on the support of a party, but he was not bound by rigid party policy; he possessed the courage which would not hesitate to antagonize influential party members by supporting necessary measures which he knew they would oppose. By his sound common sense and his devotion to his duty as the leader of the nation he wrecked his party, but he earned a country's gratitude.

Aberdeen was a worthy follower of a great leader. Not afraid to take the strongest steps when needed, he nevertheless was a firm
lover of peace and pacific methods. The settlement of the two most vexing points of difference between Great Britain and the United States is a tribute to his ability as a statesman.

The great willingness of Peel's government to conciliate the United States was probably due to the commercial nature of their policy. Peel, the father of free trade, was devoted to the extension of commerce and the broadening of trade relations. He was quick to realize the possibilities of the United States as a source of food and raw materials for Great Britain, as well as a market for the latter's manufactured goods. He was undoubtedly anxious to remove any difficulties that might tend to hamper trade. Thus, after the settlement, Lord Aberdeen wrote to Everett,

"I told Sir Robert Peel I had no other desire than that our Government should last long enough for him to carry the Corn Bill and for me to settle Oregon.

"It is delightful to think that there is now no question of difference remaining between our Governments, and that free scope may be given to the development of the immense commercial resources of both countries."

Aberdeen possessed no great assurance of the value of Oregon. Rather was he inclined to regard the whole question as a purely academic one, involving national honour more than material interests. Thus, in a friendly letter written shortly after he returned to the Foreign Office, he said,

See biographical note.  

"I confess that I was not sorry to return to my treadmill. It is not without some satisfaction that I see the friends of peace throughout the world are well-pleased that I should be here. The consternation at the prospect of my warlike successor appears to have been as great at Washington as at Paris or Vienna.

"I believe after all that I ought to have belonged to your old sect of whom I saw a very pleasing specimen the other day in the person of your relative Joseph John Gurney. He gave me some observations upon the Oregon affair which had the mark of being in many respects practical as well as philanthropical. I am sanguine in believing that we shall succeed in preventing a war for a cause so preposterous as the possession of a few miles of pine swamp; but, peaceful as I am, we cannot afford to neglect consistency and national honour, and the Americans will find me very obstinate when I feel that it is necessary to be firm."

The introduction of the Oregon question under Aberdeen's régime must be credited to Sir Charles Bagot, then Governor of Canada. In a dispatch dated March 4, 1842, he spoke of the dangers arising from American occupation of the territory and the necessity of immediate action if it were to be retained for Great Britain.

"Independently of the fertility of the Country, and the opening which it would afford for our own population, the advantages of such a position on the Pacific as the Mouth of the Columbia are incalculable.

1 Palmerston, who had a reputation as a stormy petrel in European affairs.
2 The Quakers, who were of course opposed to war.
3 Aberdeen to Mr. Hudson Gurney, Feb. 20, 1842. Quoted in Balfour; op. cit. vol. 2, p. 137.
The matter is just beginning to exact interest in the United States, and I would therefore most earnestly recommend that Her Majesty's Government should at once decide on the course to be pursued by them, and set on it without delay, and thus anticipate the pretensions which will otherwise be put forward by the United States.

Aberdeen had already taken steps to settle existing differences with the American country. On January 18, 1842, Lord Ashburton, especially suitable because of his political experience, his business affiliations and his American connections to follow a sensible, middle course, received his commission as special emissary of the British Government to Washington. Through the months of June and July negotiations were carried on, until at last an agreement was reached on July 29. The treaty embodying the decisions made was signed at Washington on August 9.

In it no mention of the boundary west of the Rocky Mountains was made. This matter had come under discussion in the course of the negotiations, but in view of the fact that the opposing attitudes were so divergent, Ashburton dropped the question entirely lest it should jeopardize his chances of settling the more pressing affair of the Maine-New Brunswick dispute. For this action he has been extensively criticized, but in the light of Webster's later difficulty in securing ratification of the Washington Treaty, there is no doubt that he was justified by the circumstances.

1 Bagot to Stanley, the Colonial Secretary, Mar. 4, 1842. F. O. 5, Vol. 387
2 See biographical note. It is interesting to note that Baring Bros., the English financial firm of which Ashburton was head, were bankers for Webster, the American plenipotentiary.
The Webster–Ashburton Treaty, with its "concessions" to American claims and its failure to settle all the points of difference, provided material for sneering comment by Aberdeen's predecessor in the Foreign Office. In a letter to a friend Palmerston reveals the attitude of the opposition.

"Our foreign affairs are getting into the most miserable state, and the country is fast falling from the position in which we had placed it. This Ashburton Treaty is a most disgraceful surrender to American bullying, for I cannot even give Ashburton and the Government the credit of being outwitted. They must have known the value and extent of all the concessions they were making; and the provoking part of the matter is, that these concessions have been made without any real necessity whatever, and instead of fully closing our account with the United States, will only be looked on by them as a first instalment."

Such criticism, private or public, had little effect on Lord Aberdeen who, now that one important problem had been solved, desired to dispose of another. Scarcely was the ink dry on the Ashburton Treaty than a dispatch was sent to Fox, the British Ambassador at Washington, instructing him to approach Webster, the American Secretary of State, on the Oregon question. Aberdeen explained,

"The main ground alleged by his Lordship for abstaining from proposing to carry on the discussion with respect to the question of the North-Western Boundary, was the apprehension, lest, by doing so, the settlement of the far more important matter of the North-Eastern

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2-3 See biographical notes. 4 Ashburton.
Boundary should be impeded, or exposed to the hazard of failure."

He then proceeded to say that, since the latter question had now been settled successfully, the former could be re-opened.

As well as sending instructions to Fox, he also approached Everett, the American Minister to London. The latter communicated with his own Government on October 19, stating,

"Lord Aberdeen, in the conference which ensued after the exchange of ratifications, observed that his only subject of regret in connection with the Treaty was, that the boundary between the two countries on the Pacific Ocean had not been provided for, and expressed a strong wish that I might receive instructions on the subject."

Fox received Aberdeen's dispatch in November and communicated with Webster on the fifteenth. His note was acknowledged by the Secretary of State ten days later.

Aberdeen, anxious to inaugurate a discussion as soon as possible, again conversed with Everett on the subject, this time definitely asking him to obtain the necessary authority from Washington to act as a special plenipotentiary. This request was relayed by Everett to Webster on November 18.

1 Aberdeen to Fox, Oct. 18, 1842. Correspondence Relative to the Negotiation of the Question of Disputed Right to the Oregon Territory on the North West Coast of America; subsequent to the Treaty of Washington of August 9, 1842; T. R. Harrison, London; p. 2.
2 Everett to Webster, Oct. 19, 1842. North America No. 4 (1873), Memorial on the Canal de Haro as the Boundary Line between the United States of America, Presented to Both Houses of Parliament by Command of Her Majesty, 1873; Harrison and Sons, London 1873; p. 19.
3 Correspondence Relative to the Negotiation; op. cit.; p. 1.
5 North America No. 4; op. cit.; p. 19.
Despite these British efforts, nothing was done by the Americans beyond acknowledging the communications. However, President Tyler, 1 in his annual message to Congress on December 7, hinted that the executive were endeavouring to bring the matter under discussion but were meeting with little cooperation from Great Britain. This rather painfully surprised the Earl of Aberdeen, whose sincere efforts had only failed because of Tyler's passivity.

On December 29, Fox again reported that no action had yet been taken, but enclosed a copy of the special message of the President to the Senate, given in reply to a request for information on the state of the Oregon question. Part of the message embodied the remarkable, though totally inaccurate, information that

"Measures have already been taken in pursuance of the cause thus expressed, and under the circumstances, I do not deem it consistent with the public interest to make any communication on the subject."

The Earl was even more bewildered at Tyler's statements, being at a loss to reconcile his words and actions. Increased activity in the American Legislature renewed the fears in England that trouble might

1 Correspondence Relative to the Negotiation; op. cit.; p. 2.
2 Fox to Aberdeen, Dec. 29, 1842. Ibid.; p. 4.
3 President's Special Message to the Senate, Dec. 3, 1842; Ibid.; p. 4.
4 Webster told Ashburton, "What the President will do or will not do, in any given case, no-one can venture to guess, for he is a man whose conduct is governed by no intelligible motive or principle." From Abstract of Correspondence Relative to the Negotiation of the Question of Disputed Right to the Territory Watered by the Oregon or Columbia River on the North West Coast of America, Subsequent to the Treaty of Washington of August 9, 1842, Foreign Office, Jany 31, 1844. F. O. 5, Vol. 418.
still occur between the two nations, so that the Government had to face bitter criticism from the Opposition in Parliament.

In the course of the debate on the Speech from the Throne, on February 2, the Marquis of Lansdowne led the attack in the House of Lords with a scathing denunciation of the Government policy.

"It was painful to find that no sooner had one door been closed, no sooner had one frontier problem been settled, than another door was opened, and another frontier question had to be determined. Even before the wax bearing the impress of their seal to the treaty had become cold, before the breath, even, of the negotiators had ceased its utterance, they had to turn from the frontier of New Brunswick to the Oregon—they had to pass from the banks of the St. John's River to the Columbia. They knew from the highest authority in the United States that the question was now open—that there was new matter for negotiation—that new claims were asserted and yet had to be determined. He lamented, then, when such concessions had been made as the means of procuring peace, that the peace was so likely to be disturbed by new and dangerous discussions."

Lord Ashburton rose to defend his treaty and the policy of his party. With smooth speech and conciliatory language he tried to lay at rest the fears of his opponents.

"The only question which now remained to be settled was that respecting the Oregon territory on the Columbia River. He did not believe that the non-settlement of that question would be productive of

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the evil consequences that had been supposed. He believed that there would be no great difficulty as regarded the settlement of the question. The proceedings that had been alluded to on the subject were not those of the American Government, but of an individual member of the American Congress. The proceeding was, as it were, the act of an individual Member of Parliament, and he did not believe that in consequence of it there was any ground for believing that it would give rise to a want of good understanding between this country and America. The fact was he believed that there had not existed a better understanding between the two countries since the war than existed now. "

That very day another Government supporter, Joseph Hume, spoke in the Commons to the same effect, saying that,

"It was true that another difficulty had since arisen, but surely we were in a better condition to settle that difference, than if the other had not been disposed of!"

Some members, however, were not pacified and were still inclined to regard the measures introduced in the American Legislature as definitely hostile acts. Towards the end of the month another member of the Commons, Mr. Blewitt, came into possession of additional information on American activities and rose in the House to express his personal opinion of the situation.

"From the speech of the President of the United States, and from the debates that had recently taken place in the Senate of that

1 The War of 1812. 2 Hansard; op. cit.; vol. 66, p. 59. 3 See biographical note. 4 Hansard; op. cit.; vol. 66, p. 43. 5 February 24, 1843.
country, he had some apprehensions, however, that we might be brought into collision with that country. ..........................................................

He found that in the Senate of the United States a bill had been introduced, so lately as November last, for the exclusive occupation of this territory, which was termed the Oregon territory. (Follows the Bill and the speech of Mr. Roberts on it.) .........................................

He (Mr. Blewitt) would ask what ideas would be formed in the United States respecting the House of Commons, if a bill were introduced on such a subject, claiming an absolute right of territory to a country which was subject to the provisions of the two treaties of 1818 and 1827.

He thought that the mode in which the matter had been dealt with in the Senate of the United States was an insult to this country; and although he was a most strenuous advocate of peace, he never would consent to the sacrifice of the honour of the country; and if the legislature of the United States went beyond a certain point, he conceived that it would be the duty of this country to show the American people that we knew how to vindicate our honour. "

The Prime Minister himself reassured the members with the usual argument that the threatening measures were the work of an individual, and not of the American Government.

"The violent speech the honourable Member had quoted, he (Sir Robert Peel) would, with all respect to the American Senate, say, would not interfere with the diplomatic relations of the two countries. The Government had no official information on the subject of any such bill having been introduced into the Senate, nor could they deal with

1 Hansard; op. cit.; vol. 66, p. 1323.
the matter. As for the Oregon territory, there had been communications of a friendly nature on the subject between the two governments, and they were now going on; under these circumstances, he hoped the honourable gentleman would not think it disrespectful of him if he further declined entering upon the subject. "

The Government, while earnestly defending itself in both Houses, was nevertheless more than a little disconcerted by the tactics of Tyler. Lord Aberdeen unburdened himself in a letter dated February 25, 1843.

"You must know by this time why I expressed myself greatly dissatisfied with the message of the President. The manner in which he treated the Right of Search was scandalous. His mention of the Oregon question was also most uncandid. When he talked of pressing us to enter into negotiation, he had in his pocket a most friendly overture from us, which he had already answered unfavourably.

"Ashburton had full instructions upon this subject, and if he had remained long enough in the United States, I have no doubt that it would have been settled. But the pressing affairs having been brought to a close, he was naturally desirous of returning home. "

Scarcely had the first excitement died down in the British Parliament than a new cause gave it a fresh lease of life. In January, 1843, Senator Linn of Missouri introduced his third "Oregon Bill" into the American Senate, accompanying it with a speech accusing the British of having fomented Indian massacres of white settlers beyond the Rockiss.

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1 Hansard; op. cit.; vol. 66, p. 1326.  
2 Aberdeen to Croker, Feb. 25, 1843.  
This bill provided for the establishment of a chain of military posts along the Arkansas, Missouri and Columbia Rivers, the granting of land to settlers in Oregon, the appointment of two additional Indian agents to that territory, the appointment of judges and the extension of the laws of Iowa to the district bordering on the Columbia. The bill passed the Senate on February 3, 1843, by a vote of 24 to 22.

When the news of this last impertinence reached London it was greeted with an outburst of indignation. Lord Palmerston was quick to seize the opportunity of condemning Aberdeen's pacific policy in general and the Ashburton Treaty in particular. With scathing sarcasm he spoke at length in the Commons.

"Then there is another Boundary Question still unsettled, relative to what is called the Oregon Territory, on the banks of the Columbia River, on the west coast of North America: what has happened lately about that question? Why, the Senate has actually passed a bill for immediately taking forcible possession of the whole of that territory, and the Senator who brought in that bill, expressed his conviction that the American claim to this territory would immediately be acquiesced in by Great Britain, if it was only urged in what he was pleased to call a proper manner. It is impossible, I conceive, that this bill should pass the other branches of the legislature; but if it were to pass, and to be acted on, it would be a declaration of war. ......... Thus, even before this vaunted Treaty, which was to settle all disputes, extinguish all differences,
and secure perpetual peace, has come into operation, new differences have arisen, and old ones have been revived."

Sir Robert Peel felt it incumbent on him to reply in order to remove the impression left on the House by Palmerston's speech.

"The question of the Oregon territory, no doubt, is not adjusted, but on that it is not necessary that I should address the House at length. With respect to the course that the American Government has taken, the noble Lord makes no allowance for the position of a government so open to popular influence as that of America. We, however, deal with the executive government and not with the senate. We have proposed to that government to consider the means of effecting a conciliatory adjustment respecting the Oregon territory; and we have met with no repulse, but have received assurances, in reply to our proposition, that the executive government of the United States is anxious to come to an adjustment of that question; and we have every reason to hope, that unless we revive the former animosity and embitter the feelings between the two countries, that our attempt to settle that matter by negotiation will be satisfactory."

Macaulay, the noted orator and historian, was neither satisfied with or soothed by Peel's explanation. He saw in the action of the Senate a definite expression of American sentiment, not even popular sentiment but the sentiment of men of importance. He sounded a warning.

"That such a bill should have been carried by a majority, is sufficiently indicative of the state of feeling in America towards..."
this country. It should be borne in mind that the senate is not dependent for its existence on the popular will; it is elected, not by a democratic body, and endures for six years. It is a body which comprises among its members a large proportion of the men of the greatest weight and most distinguished for their ability in the United States. When such a bill as that about the Oregon territory can find supporters in such an assembly, it shows the state of public feeling which has sprung up in America from the Washington Treaty."

The debate on American relations was renewed in the House of Commons on the twenty-second, but was adjourned because there "was not forty members in the House". Such inexplicable lack of interest was commented on by Hume as being "discreditable" and "disgraceful to the House".

In the House of Lords, despite the vigorous opposition led by the Marquis of Lansdowne, a vote of thanks to Lord Ashburton for his praiseworthy efforts in promoting better relations with the United States and his commendable success in settling one troublesome problem was moved and passed on April 7.

On May 2, Hume moved a similar vote of thanks in the Commons. In the speech supporting his resolution he referred to the yet unsettled boundary.

"The question of the Oregon territory, though it certainly..."
had once been a subject of disucssion between the two Governments, had not lately been mooted between them, and it could not therefore well be included in a negotiation for the adjustment of existing disputes."  

The resolution was seconded by Dr. Bowing, and passed the House by a vote of 238 to 96.

The remainder of the year 1843 passed uneventfully. David Thompson, the explorer and geographer, now an impoverished, old man, was living in obscurity in Montreal. On occasions, officials of the Hudson's Bay Company and the government approached him for information on the geography of the land west of the Rockies. This the old man, vainly hoping for a pension as a reward for his past services, was only too pathetically eager to provide. One of his memoranda was forwarded by him to Metcalfe, and by Metcalfe to the Colonial Office. A glowing description of the splendour and importance of the Oregon country was given, a description in which reality was clouded over with the glamour lent by distance, the memories of an adventurous prime and an only too evident desire to please.

"In the summer season the Columbia River and its branches are visited by myriads of fine Salmon, which are of five species, weighing from five to fifty-five pounds, the Sturgeon are excellent, weighing from three to five hundred and fifty pounds, Vegetation is on the same scale, I have measured Pines of clean growth of forty-two and forty-eight feet girth, and two hundred feet in height without a branch; immense growths of the finest Cedar of eighteen to thirty-six feet girth; the Oak eighteen feet girth; even the Raspberry, the Raspberry measured

1 Hansard; op. cit.; vol. 68, p. 1163.

2 See biographical notes.
eighteen to twenty-one feet in height. Whoever settles in this fine
country and climate has no wish to leave it. The results of the late
war in China has given an importance to the Columbia River, or Oregon
territory, it had not before; from its position, the supply of provisions,
and various materials it can furnish, and however lightly regarded by
the British Ministry, the United States knew its value, and will make
every exertion to secure its possession."

It is interesting to note in the above the absence of mention
of the fur trade, once the most important industry of the disputed country.
This is especially striking when one realizes that all of Thompson’s
work was done when he was the representative of a great fur-trading
organization, the North West Company.

In the late autumn, steps were taken to resume negotiations
with the United States. Lord Aberdeen, however, had little confidence
in the British representative at Washington, H. S. Fox, and did not
wish him to undertake these delicate discussions. Thus, when Everett
transmitted the request to Upshur, the Secretary of State, he remarked:

"When Lord Aberdeen spoke of instructing Mr. Fox on the
Oregon question, he added an expression of his regret that the negotiation
should fall into his hands."

1 The Opium War, 1839 - 1841, which opened five additional Chinese ports
to British trade. (Canton had been open since 1680.)
2 Thompson to Metcalfe, June 20, 1843. F. O. 5, Vol. 401.
4 5
5 See biographical note.
6 Everett to Upshur, Aug. 17, 1843.
North America, No. 4; op. cit.; p. 5.
Because of this distrust and the ease with which he would be enabled to keep matters under his personal control, the Foreign Minister desired to treat through the American ambassador. Everett, on the other hand, thought that the discussions should take place at Washington.

While Aberdeen was endeavouring to secure action at London he was not altogether neglecting the other avenues of communication. On August 18, a dispatch was sent to Fox, asking if any progress had been made at Washington, "Her Majesty's Government being most desirous that no unnecessary delay should take place in endeavouring to bring this question of Boundary to a satisfactory conclusion".

On October 9, 1843, Upshur replied to Everett's letter, giving him the necessary authority to inaugurate negotiations at London. Everett then waited upon Lord Aberdeen, but discovered that the latter's attitude had changed somewhat since August. In a confidential report of the conference to his chief, Everett wrote:

"On apprising him of the disposition of the President to open a negotiation on this subject at London, Lord Aberdeen informed me that such an arrangement would have been altogether agreeable to him if somewhat earlier made, and reminded me that he had very often, in the course of the last winter, expressed the wish that the President would authorize me to treat on the subject. He had, however, lately come to a conclusion and taken a step that made it necessary to treat upon the subject at Washington; this was the recall of Mr. Fox and the appointment of a successor."

1 Correspondence Relative to the Negotiation; op. cit.; p. 5.
2 Everett to Upshur (Confidential), November 2, 1843. North America No. 4; op. cit.; p. 20.
The successor referred to was Richard Pakenham, a gentleman high in the confidence of the Foreign Secretary. He entered on his duties at Washington on December 14, 1843, Fox being recalled.

Aberdeen's decision to carry on the conversations at Washington did not preclude more or less formal discussions of the matter with Everett at London. Throughout the remainder of 1843 and on into the next year, they had occasional meetings in which they tried to reach some agreement. These meetings were not altogether official, but, strangely enough, it was in the course of them that the proposition which afterwards became the solution was first advanced.

On November 14, Everett was able to report a satisfactory conference with Aberdeen, in which the matter had been discussed in a general way. Aberdeen had remarked, "I do not think we shall have very much difficulty", and Everett was inclined to think that the forty-ninth parallel of north latitude would be acceptable as a boundary to Great Britain if the whole of Vancouver's Island were left to her.

In the next conference, on November 29, Everett ventured to suggest to Aberdeen that the President might consider the above proposal seriously. He stressed its fairness to Great Britain, protesting the presence of the Hudson's Bay Company settlements on the south side of the Columbia. To this Aberdeen replied that "he did not consider the existence of these settlements as a very serious matter, but the navigation of the Columbia was a serious one."

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1 See biographical note. Everett to Upshur (Private and Confidential), Nov. 14, 1843. North America No. 4; op. cit.; p. 21.

2 This is interesting as foreshadowing the actual settlement.

3 Everett to Upshur, Dec. 2, 1843. North America No. 4; op. cit.; p. 22.
The next day Everett made his proposal in writing, but apparently it met with no official reply, Aberdeen preferring to deal directly with Washington through Pakenham.

Fox, the retiring ambassador, wrote to Aberdeen on the thirteenth of December, enclosing a copy of the President's annual message to Congress, dated December 5. This asserted America's claim to the whole of the Oregon Territory, pointed out the need for the establishment of military posts and courts of law in it and referred to the pending negotiations as to its ownership, hinting that it was Great Britain's fault that a settlement had not been reached sooner. This message Fox was inclined to regard as conciliatory in tone, but Aberdeen viewed it in a totally different light.

In his instructions to Pakenham, he stressed the importance of the Oregon question.

"One of the first objects which will engage your attention on your arrival at Washington will be the negotiation for the settlement of the Boundaries of the Oregon or Columbia Territory. "

"On your arrival, therefore at Washington, you will repeat to the United States Secretary of State the desire of Her Majesty's Government to carry on the negotiations; and you will inform him that you are furnished with the requisite full powers to enter upon it with any person whom the President may appoint to meet you. "

In preparation for the coming discussions an abstract of the

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1 Correspondence Relative to the Negotiation; op. cit.; p. 6.
correspondence on the subject since the signing of the Ashburton Treaty was drawn up in the Foreign Office. This abstract throws a great deal of light on the attitude of the Government and their methods of diplomacy. One portion reads as follows:

"The main ground alleged by Lord Ashburton for abstaining from proposing to carry on the discussion with respect to the North West Boundary, was the apprehension, lest, by so doing, the settlement of the far more important matter of the North Eastern Boundary might be impeded or exposed to the hazard of failure.

"This ground of apprehension no longer existing, and Her Majesty's Government, therefore, long anxious to remove, so far as depended on them, all causes, however remote, of even contingent risk to the good understanding so happily restored between the two Countries, determined to propose to the Government of the United States to meet them in an endeavour to adjust by Treaty this unsettled question."

The abstract then proceeds to deal with the efforts of Great Britain to establish discussions on the question, after which it notes Fox's conjectures as to the reasons for their failure.

"Mr. Fox observes, that the want of cordiality between the President and Mr. Webster, which appeared to be daily increasing, might

1 Abstract of Correspondence Relative to the Negotiation of the Question of Disputed Right to the Territory Watered by the Oregon or Columbia River on the North West Coast of America, Subsequent to the Treaty of Washington of August 9, 1842 - Foreign Office, Jany 31, 1844. F. 0. 5, Vol. 418.

2 John Tyler (See biographical note) was run by the Whigs as Vice-president in order to secure the disgruntled Democrat vote. On the death of Harrison in 1841, he became President. For vetoing the National Bank Bill he was read out of the Whig party in the same year. All of his cabinet resigned, save Webster, who remained until the Ashburton negotiations were completed and the treaty ratified.
in some degree explain, though it did not justify, the circumstances to which he had referred.

"Under these circumstances Mr. Fox considered that he might be justified, in the interests of Peace and Concord, in holding confidential communications with some of the leading Senators, with whom he had cultivated relations of private friendship. He accordingly spoke to Mr. Calhoun and Mr. Archer and put them into possession of the substance of so much of the unpublished correspondence, as was sufficient to convince them entirely that there was no indisposition on the part of Her Majesty's Government to negotiate an immediate settlement of the Oregon question, but that, on the contrary, the pressing overtures for an immediate settlement thereof had proceeded from Great Britain and not from the President. Mr. Fox expressed his hope that through the influence of the Senators to whom he had referred, the Bill would be rejected in the Senate, or at least the more objectionable clauses struck out.

"The course thus adopted by Mr. Fox was entirely approved by Her Majesty's Government."
CHAPTER VII.

The OREGON PROVISIONAL GOVERNMENT and the INAUGURATION of POLK.

Any hopes of settlement that Aberdeen might have had in 1843 did not exclude from his mind the serious consequences of American immigration into the Columbia territory, neither was he anxious to precipitate any trouble in the disputed region itself. Late in October, 1843, H. M. S. Thalia was ordered to proceed to the Northwest Coast in order to assure the British settlers there of the protection of their interests by the mother country. Aberdeen's instructions through his secretary to the Admiralty are very explicit.

1 "I am to request that Rear Admiral Thomas may be directed to instruct the Commander of the Thalia in the sense of that letter; and especially to caution him, at the same time, that he keeps a vigilant watch over the proceedings of the citizens of the United States in that quarter, and that he affords, when necessary, efficient protection to British subjects and property, not to enter into unnecessary discussion with any foreigner in those parts on the rights which Great Britain may have or assert to that territory."

The new year brought increased activity on both sides of the Atlantic. Among the communications from private individuals received at the Foreign Office, one would tend to show a changing attitude on the part of a certain section of the British public. This letter takes

1 See biographical note. A previous communication from Aberdeen to the Admiralty, requesting the dispatch of a vessel to the Northwest Coast.

for granted that Great Britain will be unable to hold Oregon, or at least will find it extremely difficult to do so, and suggests that it would be a good policy to establish there an independent state, protected jointly by Great Britain and the United States. Such a fantastic scheme would not be worthy of mention here, did it not show that there must have been considerable discussion of the Oregon question among the rank and file of the English political parties. The letter was deemed at least of sufficient importance to preserve in the Foreign Office.

Meanwhile, Pakenham was able to report some progress. In a dispatch dated February 27, 1844, he stated that he had seen Upshur, the Secretary of State, and negotiations were about to proceed. Unfortunately the sudden death of Upshur on the 29th erased his carefully prepared work, the Acting-Secretary, Nelson, not having the necessary authority to continue with it. Calhoun's appointment to the vacant office took place on March 6, 1844, but the latter was too busily engaged on the Texas question, according to Pakenham's dispatches, to treat with the Briton.

Additional data on Oregon settlement now came to the Foreign Office from Commander Paulet, of H. M. S. Carryfort, who had visited the Columbia in 1843. His report to Rear Admiral Thomas, written on October 5, was forwarded to Aberdeen, who did not receive it until March 11, 1844.

2 Pakenham to Aberdeen, Feb. 27, 1844. Correspondence Relative to the Negotiation; op. cit.; p. 10.
3 Killed in an accidental explosion during a naval review.
4 See biographical note. Of Apr. 14, Apr. 22 and May 13, 1844. Correspondence Relative to the Negotiation; op. cit.; p. 11.
This report served to show more clearly the actual area in settlement and probably influenced British proposals in the ensuing negotiations. According to Paulet,

"There are but half a dozen Settlers on the North side of the Columbia River consisting of English and Americans, the South side is the principal resort of them and Canadians."

In London, Everett had again informally discussed with Aberdeen the possible proposal by the United States that the boundary follow the 49th parallel to the sea and then swing south around Vancouver's Island.

"Lord Aberdeen did not commit himself on this point, whether or not this proposal, if made by the Government of the United States, would be accepted."

Everett, however, was inclined to think it would be acceptable, and furthermore suggested,

"They do not, therefore, I imagine, much regret the agitation of the subject in the United States, and are willing we should advance a claim to the 54° 40'; such a course on our part will make it easier for them to agree to stop at 49°."

Such a communication as the above would not fail to have its influence in the United States, and quite possibly helped to determine the attitude of Polk's government in 1845.

The theatre of affairs now shifts to Oregon itself, where the settlers, tired of the interminable arguments of the rival Governments, and faced with the necessity of establishing the reign of law, had formed

3 Ibid.
a provisional government. As early as February 17, 1841, a meeting of
the inhabitants of the Willamette Valley had been called for this purpose.
Successive meetings on February 18 and June 1, 1841, on February 2,
1843, and in March, 1843, seem to have accomplished little, except for
the appointment of a committee empowered to frame a constitution and draft
laws. The Canadian settlers (mostly retired servants of the Hudson's
Bay Company) presented an address at the meeting held at Champooeg on
March 14, 1843, declaring themselves in favour of laws, but opposed
to certain provisional regulations, including those relating to land,
provisional government, paid representatives and officers, superfluous
laws and taxes, militia and superfluous government offices. The Canadians
desired that the laws be made and carried out by an elected body, that
no American citizenship be required but that the privilege of settlement
and the right to justice be extended to all.

The constituent committee's report was submitted at a further
meeting at Champooick (or Champooeg) on May 2, 1843, a "public meeting
of the inhabitants of Willamette settlements, held in accordance with
the call of the committee, chosen at a former meeting, for the purpose
of taking steps to organize themselves into a civil community, and
provide themselves with protection, secured by the enforcement of law
and order." The report of the committee was read and a motion for
its adoption lost. A great deal of confusion ensued, but a majority

1 Minutes of these meetings are to be found in a rare volume (a copy
of which is to be found in the Provincial Archives at Victoria, B. C.)
edited by Lafayette Grover and entitled the "Oregon Archives, Including
the Journals, Governors' Messages and Public Papers of Oregon ...........
to January 26, 1853"; Asahel Bush, Public Printer, Salem 1853.
2 Spelt "Champaooick" in later documents. Oregon Archives; cp. cit.;
were in favour of continuing with the scheme. The dissenters retired. The meeting then elected certain officers of justice and a legislative committee, together with the officers of a proposed militia.

A further public meeting, on July 5, adopted the legislative committee's report, with only a few minor amendments. The preamble to the Organic Laws of Oregon reads:

"We, the people of Oregon Territory, for purposes of mutual protection, and to secure peace and prosperity among ourselves, agree to adopt the following laws and regulations, until such time as the United States of America extend their jurisdiction over us."

The laws provided for an executive committee of three and a legislative committee of nine, elected annually by the male inhabitants of the territory over twenty-one years of age, provided that they had resided in the territory for at least six months. A committee of three was to report to the United States Government the details of the organization of the Provisional Government.

The Provisional Government certainly favoured annexation of Oregon to the United States, but nevertheless (due largely to the efforts of the Canadian citizens and the officers of the Hudson's Bay Company) preserved as far as possible a state of neutrality. The first Act of the Assembly had defined the northern boundary of Oregon under their jurisdiction as the 54° 40' parallel, but, realizing the folly of such a measure, an act was passed in June, 1844, making the Columbia the northern boundary. To most thinking people of that time it must have been apparent that, whatever else might be the outcome of the pending

1 Oregon Archives; op. cit.; p. 28.
negotiations, the territory south of the Columbia must fall to the United States and that north of the forty-ninth parallel to Great Britain.

In Washington, Pakenham was still attempting to obtain some action from Calhoun and, on July 27, 1844, was able to report to Aberdeen that, although nothing tangible had been accomplished, Calhoun had at last promised to take any proposals he might tender back to South Carolina where he would consider them while on his vacation. Pakenham therefore had committed to writing an offer to negotiate.

By August 30, two meetings had been held and the preliminaries were well under way. On behalf of Great Britain, Pakenham had offered the Columbia as a boundary, with the establishment of free ports north of that line and the further cession to the United States of the territory comprising Cape Flattery Peninsula. On September 12 this offer was declined, Calhoun emphatically claiming the entire region drained by the Columbia.

"At the conclusion of Mr. Calhoun's statement allusion is made to 'other claims which the United States may have to other portions of the territory.' This has obliged me to request that he will define more particularly what are the claims to which he alludes."

The statement of the American claim called attention to the influx of Americans in the disputed territory, so "that the whole region drained by it is destined to be peopled by us".

1 Pakenham to Aberdeen, July 27, 1844. Correspondence Relative to the Negotiation; op. cit.; p. 10.
2 The same offer rejected by Gallatin in 1826. See above, p. 59.
4 Statement of the American Plenipotentiary; ibid.; p. 19.
The official statement of the British Claim included the following:

"In fine, the present state of the question between the two Governments appears to be this; Great Britain possesses and exercises, in common with the United States, a right of joint occupancy in the Oregon Territory, of which right she can be divested, with respect to any part of that territory, only by an equitable partition of the whole between the two powers."

A further attempt was made, as in 1826, to gain American recognition of the British interpretation of the restoration of Astoria in 1818.

"It is but fair that on the part of the United States credit should be given to England for the authenticity of a despatch from Lord Castlereagh to the British Minister at Washington, which was communicated verbally to the Government of the United States, when the restoration of the establishment called Astoria, or Fort George, was in contemplation, containing a complete reservation of the right of England to the territory at the mouth of the Columbia."

The American counter-statement, enclosed in Pakenham's dispatch of September 28, absolutely denied there being any "joint occupancy", re-asserting the American claim to the whole territory and stating that the question of title must be settled before any proposals of division could be entertained.

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1 Statement of the British Plenipotentiary. Correspondence Relative to the Negotiation of the Question; op. cit.; p. 22.
3 Pakenham to Aberdeen, Sep. 28, 1844; ibid.; p. 24.
It must be noted here that there had occurred a complete reversal of the positions of the two powers since 1826. Then it was the United States who had insisted on their being a state of "joint occupancy" and Great Britain, the party in possession, who had vigorously pressed a claim to the whole territory. Since then American settlers south of the Columbia had so strengthened their country's position, rendering her the party in possession, that it was now Great Britain who desired recognition of the "joint occupancy" theory and the United States who claimed the whole district.

It soon became obvious that the rival claims could not be reconciled sufficiently to reach a basis of agreement, so, on November 1, Aberdeen instructed Pakenham:

"Notwithstanding the concessions we may be prepared to make, on taking a general view of the matter as it now stands, it appears to Her Majesty's Government that there remains little reasonable hope that the United States will relax their pretensions, and meet us in any scheme for a compromise which we could safely and honourably adopt. Under these circumstances, and taking into view the state of excitement so prevalent in the United States upon this subject, by which free action of the Government is greatly fettered, if not altogether paralyzed, I think it will be desirable, if an opportunity should offer, to have recourse, without delay, to arbitration, as the mode most likely to be available for the settlement of the question."

1 On May 18, 1844, the Democratic convention had definitely adopted the cry for "The re-annexation of Texas and the re-occupation of Oregon" as a slogan in the coming Presidential election campaign, and had nominated James K. Polk as their candidate on that programme.

2 Aberdeen to Pakenham, Nov. 1, 1844. Correspondence Relative to the Negotiation; op. cit.; p. 28.
For several weeks Pakenham found no opportunity to submit his proposal of arbitration, and when at last it was submitted, the President declined to consider it, while expressing the pious wish that the negotiation would still be successful.

The latter half of the year 1844 saw a greatly renewed interest in Oregon in the United States. Agitation for the occupation of the disputed country shook the West. Largely because of this increased interest, Polk, the avowed leader of the expansionist Democrats, was elected President. A bill calling for the organization of Oregon under a territorial government was introduced into the House of Representatives in December. The Presidential Message of December 3, 1844, called for the establishment of military posts along the Oregon Trail. The Executive Committee of the Provisional Government of Oregon put itself on record as maintaining a neutral position in the dispute between Great Britain and the United States. The form of the oath of office used by them in 1845 was still compatible with this position:

"I do solemnly swear that I will support the Organic Laws of the Provisional Government of Oregon, so far as the said Organic Laws are consistent with my duties as a citizen of the United States, or a subject of Great Britain, and faithfully demean myself in office, so help me God."

The New Year opened with a little more friendly feeling towards

1 Pakenham to Aberdeen, Jan. 29, 1845. Correspondence Relative to the Negotiation; op. cit.; p. 30.
3 Message of the Executive Committee to the Legislative Committee, Dec. 16, 1844. Oregon Archives; op. cit.; p. 31.
Great Britain in the Eastern States. Established commercial interests there did not share the growing pains of the youthful giant of the West, nor was there much desire for an open break with the best customer they had in Europe. T. W. Ward, agent of the British banking firm of Baring Brothers, wrote from Boston on January 5 to say,

"The tone from Washington is certainly pacific— it is sad however that Mr. Adams has been making a speech in accordance with his ultra views of the question."

That same month a Mr. William Sturgis delivered a conciliatory speech on the subject before the Mercantile Library Association of Boston, suggesting the establishment of a Pacific Republic. This speech met with favourable comment from both English statesmen and the English press, as well as from the Whig papers in America. It was later published in pamphlet form.

In London, Everett was still keeping in touch with any new aspects of the Oregon affair, and, the last day of February, reported to Calhoun that Great Britain "will never agree to the naked proposition of the forty-ninth degree. I have however a pretty confident belief she would accept that line with the modification alluded to in my dispatches."

Exactly three days later, Lord Aberdeen wrote to Pakenham;

"Under the confident persuasion that the bill having for its

2 On January 22, I. e., the boundary should pass south of Vancouver's Island.
object to authorize the President to take measures for occupying the Oregon Territory on the part of the United States, after having first given notice to Great Britain of the renunciation of the Treaty of 1818 - 1827, in conformity with the engagement reciprocally taken to that effect by the two countries, will be rejected by the Senate, Her Majesty's Government are desirous of making another effort for the adjustment of the Oregon controversy by arbitration."

That same day (March 3, 1845) a member of the House of Commons asked in the House for information on the Oregon question. His criticism was very moderate, but showed that the country was aroused by the hostile attitude of certain sections of the United States.

"He always considered that the Oregon Territory, which had already been the subject of so much dispute, was yet to be considered as a matter on which no settlement had been made, in fact that it was an open question. A Bill, however, had passed the House of Representatives in order to make Oregon what is called a Territory. British interests were quite safe in the hands of Mr. Pakenham, who had hitherto conducted the negotiations; but it seemed extraordinary that such a course had been taken by the House of Representatives. This country was not accustomed to bluster, but it must be apparent to all that this was a proceeding not to be submitted to quietly. ........................................

He wished to know if the Ministers intended to leave the Parliament

1 Introduced into the House of Representatives on Dec. 15, 1844. Amended by the Committee on Territories and presented on Feb. 1, 1845. Passed the House of Representatives by a vote of 140 to 59 on February 3. Defeated in the Senate.

2 Aberdeen to Pakenham, Mar. 3, 1845. Correspondence Relative to the Negotiation; op. cit.; p. 31.
entirely in the dark upon this important question, regarding which one branch of the Legislature of the United States had proceeded hastily."

Peel replied that "as the negotiations of the country with the Executive Government of the United States had not yet been brought to a close, he did not think it consistent with his duty to lay the correspondence before the Parliament. The hon. Member would be aware that our negotiations were not with the House of Representatives, but with the Executive Government of the United States. Certainly nothing could be more unseemly than to bluster; but while he refrained from any expressions of the kind it was not to be supposed that the British Government was not duly sensible to the importance of the question."

In accordance with this policy of not underestimating the importance of Oregon, Aberdeen instructed the Admiralty to keep in constant communication with that coast. The sloop, "Modesta" had visited there in 1844, and the report of Commander Baillie to Rear-Admiral Seymour was forwarded to the Foreign Office. Aberdeen's instructions, as communicated by his secretary to the Admiralty, show a determination not to permit the Americans any chance of supposing that Great Britain would not prevent any armed occupation of Oregon. Because of the activity in the American Legislature, "It is highly desirable (so the instructions read) that the interest which Her Majesty's Government took in the Oregon territory and this determination not to allow their rights to

1 Speech of Mr. Roebuck (See biographical note). Hansard, op. cit.; vol. 78, p. 236.
2 Reply of Mr. Peel. Ibid.; vol. 78, p. 237.
3 See biographical note. Baillie to Seymour, Nov. 6, 1844.
4 Ibid.; vol. 441.
be encroached upon should be made quite apparent to the United States Government and people in general, and also that portion of United States citizens who are at this moment established in the territory in question.

"It is His Lordship's opinion not only that one of H. M. Ships of War should appear frequently on the coast of the Oregon district, but that Rear-Admiral Sir George Seymour himself visit that Coast at an early period in the Collingwood, with a view to give a feeling of security to our settlers in that Country and to let the Americans see clearly that Her Majesty's Government are alive to their proceedings and prepared, 1 in case of necessity, to oppose them."

The tenor of the above dispatch would seem to show that American activities had aroused a spark of resentment in Lord Aberdeen, or that possibly unkindly criticism of the ministry's foreign policy had rankled in his mind.

Unaware of this step taken by the Foreign Secretary, Everett reported on March 7 that Lord Ashburton, "who is habitually consulted by the Government on American subjects" does not think "there would be much difficulty in coming to an adjustment".

In the United States Polk had been inaugurated as President. In his inaugural address, Polk took an uncompromising attitude towards Great Britain, speaking of "my duty to assert and maintain by all constitutional means the right of the United States to that petition of our territory which lies beyond the Rocky Mountains. Our title

1 Aberdeen's secretary to the Admiralty, Mar. 5, 1845. F. O. 5, Vol. 440.
2 Everett to Calhoun, Mar. 7, 1845. North America No. 4; op. cit.; p. 29.
to the country of Oregon is clear and unquestionable and already our people are preparing to perfect that title by occupying it with their wives and children". Calhoun had been replaced as Secretary of State by Buchanan and, the following August, MacLane succeeded Everett as ambassador to Great Britain.

Pakenham lost no time in interviewing the new Secretary of State, who informed him that he hoped to settle the dispute by using the principle of "giving and taking". Buchanan received the proposal of arbitration amiably enough, but said he did not despair of settling the matter by a compromise. Confidentially, he imparted to Pakenham that the United States might suggest the 49th parallel as the boundary to the sea, leaving Vancouver Island to Great Britain. Pakenham made no comment on this hint, but secretly felt pleased with such a proposal. He wisely advised Aberdeen that it would be best to wait until the United States made this offer, for, otherwise, if Great Britain were to make it, it would be rejected in the hope of greater gains.

Meanwhile the Government's foreign policy again came under attack in the House of Commons. Assaulting a proposed measure to increase the naval estimates, Lord Palmerston took the opportunity of severely

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1 Richardson, Messages and Papers of the Presidents; vol. 4, p. 381. Quoted in F. H. Soward, "President Polk and the Canadian Frontier", The Canadian Historical Association, Report of the Annual Meeting Held at Montreal, May 23, 1930, with Historical Papers; Dept. of Public Archives, Ottawa 1930; p. 75.
2-3 See biographical notes. August 4, 1845.
4 Pakenham to Aberdeen, Mar. 29, 1845. Correspondence Relative to the Negotiation; op. cit.; p. 32.
5 Pakenham to Aberdeen, Mar. 29, 1845. F. O. 5, Vol. 460.
criticizing the "undue acquiescence" of Peel and Aberdeen.

"When this Government came into power, they flattered themselves that by a system of what they called conciliation, but what I thought excessive and undue acquiescence in the wishes and demands of Foreign Powers, they would be able to maintain such a state of friendly relations with Foreign Governments as would enable them greatly to reduce the naval and military establishments of the country. That was one of the anticipations in which the Government indulged. They went much too far, consistently, in my opinion, with the interests and honour of the country; and what has been the result? Why, in the course of the last few months, according to the declaration of the minister of the Crown, in the Speech from the Throne, and according to the declaration made in a similar manner by the King of the French, we have been on the verge of a serious rupture in France. Again, notwithstanding the great sacrifice of interests and rights made by the present Government as to territory in North America, with the view of establishing as they contended, forever the most friendly relations with the United States—the recent official declarations which have come from that quarter have been such as cannot tend to diminish in any degree the motives which this House ought to be actuated by in providing by the vote now under our consideration for the increased efficiency of our Naval Force."

There was considerable truth in Palmerston's criticism, although it was unjust. Her Majesty's Government, although not exactly afraid of war, felt that they had to be prepared if war came as a result of

1 Difficulties over French activity in Tahiti and Morocco.
2 Speech of Lord Palmerston on the naval estimates, Mar. 31, 1845. Hansard; op. cit.; vol. 78, p. 1289.
a breach with the United States.

Yet both Governments, and many individuals, were working to maintain peace and many were confident that an amicable adjustment could be made. As to just what that adjustment would be, opinions differed. Everett reported in April that,

"A person very high in the confidence of the Government, 1 but not belonging to it, informed me a day or two since that he considered the views of the Oregon question lately delivered on the subject in Boston by Mr. Sturgis, as fair and candid. 2

The very next day, quite unknown to Everett, the British Government took steps to obtain the information concerning Oregon which would be indispensable to them in case of war. The instructions sent to the Colonial Office, resulting a little later in the Warre-Vavasour expedition, read as follows:

"It will be necessary to take without delay proper measures for obtaining a general knowledge of the capabilities of the Oregon Territory from a military point of view, in order that we may be enabled to act immediately and with effect in defence of our rights in that quarter should these rights be infringed by any hostile aggression or encroachment upon the part of the United States. .................

"With this object Lord Aberdeen would propose to Lord Stanley that an instruction should be prepared for Lord Metcalfe, to be sent out on this next packet which sails the 5th inst: directing him to communicate with Sir Richard Mackson with a view to obtaining from him

1 Almost certainly Lord Ashburton. 2 See above, p. 105.
some capable Officer, or, if it should be necessary, two Officers, to be left entirely to the selection of Sir Richard Jackson, who should proceed as private travellers to the Oregon Territory, and examine the important parts of the Country in order to obtain as secret a knowledge of it as may be requisite for the future and efficient prosecution of military operations in it, should such operations become necessary.

"It is almost needless to say that perfect secrecy should, as far as possible, be preserved as to the Expedition and its objects."

The tone of the extracts quoted from the above dispatch would tend to show that Lord Aberdeen had grave doubts as to the possibility of a peaceful solution of the dispute, that he viewed with resentment and alarm the "jingoistic" attitude of the United States Government and that he was prepared to defend with force, if necessary, British claims and British property in Oregon. The sending of Lieutenants Warre and Vavasour was more than a wise precaution; it was a clear indication of the firm attitude of the British Government on a question where she has too often been accused by Canadians of indifference.

On the succeeding day (April 4), Aberdeen was called upon to defend his policy in the House of Lords, while Peel had to do likewise in the Commons. The challenge of President Polk's inaugural address had aroused British pride to hot resentment. Lord Clarendon introduced the subject in a speech expressing regret at the tone of the President's message. He continued:

"I rejoice to think that the whole question is viewed in a

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different respect here — that we are influenced by no desire for territorial aggrandizement; but that we are actuated by a sincere love of peace, and the most friendly feeling toward the people of the United States. As far as I am acquainted with the circumstances I believe that no assertion is made that our case is free from all doubt, and I am sure there will be no want of readiness to concede whatever can be justly claimed by the Americans: but on the other hand I am equally sure that the people of this country will be determined not to yield their own undeniable rights to encroachment, or clamour, or menace; and though I doubt not that my noble Friend will leave no method untried to bring the question to an amicable issue, yet if these efforts should unfortunately prove ineffectual, I trust that Her Majesty's Government will not shrink from adopting that course which may be necessary for vindicating the national honour and protecting the national interests."

Aberdeen, in a stirring speech, defended his policy; his manifest sincerity, coupled with the popularity of his attitude, ensured him of a friendly audience. While maintaining with a confidence that he probably did not feel that the President's speech was a public one, made for effect, and not official, he gave a clear and logical presentation of the attitude which he had maintained and intended still to maintain.

"This negotiation was founded upon the principle of an amicable adjustment by the mutual concession of extreme claims on both sides; and on

2 Soward, quoted above, gives a very good idea as to the light in which Polk was regarded in England.
that principle, as far as we are concerned, it will be continued. .........

"I am accustomed almost daily to see myself characterized as pusillanimous, cowardly, mean, dastardly, truckling and base. I hope I need not say that I view these appellations with indifference; I view them indeed with satisfaction, because I know perfectly well what they mean, and how they ought to be and are translated. I feel perfectly satisfied that these vituperative terms are to be translated as applicable to conduct consistent with justice, reason, moderation, and with common sense; and I therefore feel, as I said before, really not indifferent, but positively satisfied, when I see such observations. I believe I may conscientiously say that no man has ever filled the high office which I have the honour unworthily to uphold, who felt more ardently desirous than I do to preserve to the country the blessings of peace, or who would be disposed to make greater sacrifices, consistent with propriety, to maintain it. (Cheers). ................................. 1

"Should it be otherwise, I can only say that we possess rights, which, in our opinion, are clear and unquestionable; and, by the blessing of God, and your support, these rights we are fully prepared to maintain. (The noble Earl resumed his seat amidst loud and general applause.)"

That same day Lord John Russell attacked the Government's policy in the Commons, in a speech interesting chiefly because of the glaring inaccuracies it contained. Such paucity of geographical information must have been very general for such a leader in the Opposition to display

1 Polk's exact words in asserting the American claim.
2 Lord Aberdeen's reply. Hansard; op. cit.; vol. 79, p. 122.
it in the House. He had the grace to apologize first for any imperfections
in his statement and then launched the attack, taking as his thesis the
inaugural message of President Polk.

"But, if I am not totally mistaken, the President of the
United States has adopted a course entirely new - a course which, if not
met by something unusual on our part, threatens to embarrass all
intercourse between the Executive Departments of Nations."

He then very inaccurately reviewed the history of the Oregon
question, in order to disprove Polk's statement of the "Clear and
unquestionable" right of the United States to possession and to prove
an equally "clear and unquestionable" right on the part of Great
Britain. He particularly stressed the importance of Oregon, present and
future.

"It is stated on good authority that there are 20,000 persons
living in the Oregon Territory, and that scarcely 100 of these are
citizens of the United States; whilst, on the other hand, the Hudson's
Bay Company have many settlements in the territory. I know not what
the value of the fur trade may be, but it is obvious that it must be a
trade of considerable value. There are other considerations, however,
which attach importance to this question. The Columbia is the only port,
I believe, on that coast, which is, I believe, a very dangerous coast.

1 Speech of Lord John Russell, Ap. 4, 1845. Hansard; op. cit.; vol. 79,
p. 179
2 Whose authority? Sir George Simpson, who visited the
territory in 1844, estimated the population at 3,000, almost all of
which was American.
3 The value of the fur trade was rapidly diminishing with settlement.
It is obvious that the increase of Trade which must take place between this country and China will render it more important, as that is the only port on that part of the coast."

He then concluded by reviewing the proposals made by Canning in 1826, asserting that the latter had refused to concede any territory north of the Columbia and therefore that Great Britain, for the sake of dignity, should not offer more now, but should make a stand.

Peel rose to correct this last statement, showing that Canning had also offered free harbours and land north of the Columbia River.

He made an appeal to the House to leave the matter in the hands of the Ministry, abstaining entirely from discussion until some definite decision had been reached. He concluded:

"I must, however, express my deep regret that while the negotiations were pending, the chief Executive Authority of the United States, should, in a public Address, contrary to all usage, have referred to other contingencies than a friendly and satisfactory termination of these difficulties. I deeply regret, not only the reference that was so made, but I deeply regret the tone and temper in which it was made. As the subject has been brought under discussion - I think not improperly by the noble Lord - I feel it my imperative duty, on the part of the British Government, to state in language the most temperate, but, at the same time, the most decided,

1 What portion of the Oriental trade now comes to Astoria, in comparison with Seattle, or Portland, or Vancouver, B.C.?

2 Hansard; op. cit.; vop. 79, p. 190.

3 As to the exact terms of this offer see above, pp. 59 - 60.
that we consider that we have rights respecting this territory of Oregon, which are clear and unquestionable. We trust still to arrive at an amicable adjustment, we desire to effect an amicable adjustment of our claim; but having exhausted every effort to effect that settlement, if our rights shall be invaded, we are resolved — and we are prepared — to maintain them. Perhaps that declaration may induce the House — though each individual Member has a right to participate in a discussion with reference to a public question — to abstain from a discussion in a popular assembly. Such, although it be a matter of right, might have a tendency to prevent that result which we must all desire — a satisfactory adjustment of the question, and I trust individual Members will be content to leave the matter where it is placed, in the hands of Her Majesty's Government."

Russell expressed himself as content to "leave the matter where it was", but Lord Palmerston could not resist the opportunity to remark cynically on the good results of Ashburton's conciliation in 1842.

It is very interesting to note, in passing the different policies of the two countries. Great Britain's Prime Minister asked for, and obtained, a complete cessation of discussion of the matter in the legislature while the delicate negotiations were in progress, lest public

1 "With every speaker returning to this same phrase, a cynic might ask, "Why the dispute?"

2 This must have been a definite declaration of policy. No prime minister of Peel's standing would thus commit himself unless he were prepared to pursue his stated course of action. Nevertheless, he probably realized that any real danger of war was rather remote.

3 Speech of Sir Robert Peel. Hansard; op. cit.; vol. 79, p. 198.

4 Hansard; op. cit.; vol. 79, p. 199.
feeling hamper the statesmen engaged in unravelling the tangled skein of opposing claims. The Chief Executive of the United States, by his publicly-declared attitude, definitely encouraged clamour and bluster in Legislature and press, hoping thus to impress Great Britain and force the issue.
CHAPTER VIII.  

The THREAT of WAR

Polk's inaugural speech had introduced a new and turbulent note into the conduct of affairs. Both sides were inclined to be more than a little brusque, while Pakenham's difficulties were increased by an uncertainty in Buchanan's manner and a noticeable lack of sympathy between the latter and his President.

Aberdeen took a decidedly less pacific view in his new instruction to Pakenham, referring directly to Polk's address and stating that, if Great Britain's offer to arbitrate were rejected by Buchanan, without any further attempt being made to negotiate, then all amicable discussion must be considered at an end. He did not try to veil the implied threat, but informed Pakenham of the instructions sent to Rear-Admiral Seymour as a precaution against the contingency of war. Previous instructions of November 18, 1844, authorizing an offer to renew the Convention of 1827 for another ten years, were cancelled in consideration of Polk's attitude.

"Mr. Pakenham is directed to hold a temperate, but firm language to the Members of the Government, and to all those with whom he may converse; and he is told that we are still ready to adhere to the principle of an equitable compromise; but that we are determined to concede nothing to force or menace, and that we are fully prepared to maintain our rights."


2
Only twelve days later the receipt of a dispatch from Pakenham re-awoke all Aberdeen's eagerness to bring the matter to a swift and amicable conclusion. Buchanan had suggested to Pakenham that the United States might again offer the 49th parallel, with Vancouver Island left entirely to Great Britain. Aberdeen expressed his pleasure at there still being a chance of compromise, instructing the British minister, in the event of the suggested proposal being made, to counter with an offer to make all ports south of 49° N. latitude free to the United States, while retaining the Columbia as a boundary. In the event of no proposal from Buchanan, Pakenham was authorized to use his own discretion in placing the suggested settlement before the American. If it were refused when made, he should resort again to his previous offer of arbitration.

Before Aberdeen's message was well on its way, another reference to the Oregon question was made in the House of Commons. Strangely enough, the question was brought up in connection with an altogether different matter. Peel's ministry had introduced a bill providing for the endowment of the Roman Catholic institution of Maynooth College in Ireland. Intended as a conciliatory gesture to the Irish members, it met with bitter opposition in Parliament. In defence of the Bill, Peel urged the need for unity in Great Britain, faced with possible trouble in the New World.

"When I proposed this measure on Thursday week, I did so, having given notice of it during the last Session of Parliament, and without reference to events that have since taken place. But on the
day after I gave notice of this measure, and introduced it to the consider­ation of this House, our attention was called to a matter of great importance, and the noble Lord (the Member for the City of London) did feel it to be his duty partially to raise the veil which conceals the distant future. On the far horizon of the West there rises a cloud—a cloud small indeed, but threatening future storms. It became my duty on the part of the Government on that occasion, temperately, but distinctly, to state that, if our rights be invaded, we were determined and prepared to maintain them. I own, Sir, that when I was called upon to make that declaration, I did recollect with satisfaction and consolation that the day before I had sent a message of peace to Ireland. .........

And if that calamity should befall us, it is my earnest hope that when it shall occur it may find the people of this Empire united in Loyalty to the Throne, and in determination to support the common interests. It is my earnest prayer, that every pulse throughout this mighty form shall beat in harmonious action—that Ireland shall stand ranked with us; and then, Sir, confiding in a good cause—confiding in the valour and perseverance, and fortitude of every part of this great Empire—I shall await the result with perfect composure, being assured that the energies of a united people will ensure a glorious triumph to a just cause."

The above speech, with its intimation that the threat of war with the United States had influenced Peel in his treatment of the
Catholic Irish, proved a tactical error and brought down a storm of taunts from the Opposition. The historian, Macaulay, openly accused the Government of cowardice, of making concessions to Ireland because of the unsatisfactory condition of the Oregon question.

This is a possible phase of the British Government's attitude to Oregon which hitherto seems to have been neglected. Peel's speech, in spite of his later denials, shows a distinct connection between his American and Irish policy. Nevertheless, it is more than probable that in view of the sympathy held by him for the down-trodden Irish, feelings which afterwards induced him at the price of splitting his party and losing his office to undertake the repeal of the Corn Laws, he used the danger of war with the United States as an instrument to force the acceptance of the Meynooth Bill rather than regarding it himself as a reason for the granting of concessions in order to unite the peoples of the British Isles.

In the House, on the 23rd, he was forced to modify his argument by a determined assault of the opposition forces. The member for Sheffield claimed that the Irish party saw in Peel's measures a weakness of which they were prepared to take full advantage.

"The right hon. Gentleman had said he had felt great comfort when expressing the sentiments which he felt it to be his duty to express with respect to the American President's speech, because he had on the previous night sent a message of peace to Ireland. He (Mr. Ward) was one who felt very conscious about Irish affairs, and he was anxious

1 The failure of the potato crop in Ireland in 1845, with the resultant famine, was the immediate cause of Peel's removal of the duties on grain.

2 See biographical note.
to see what effect had been produced in Ireland by a speech which had produced nearly perfect unanimity here, for all party differences were sunk in dealing with it, and all with confidence left the honour of the country in the hands of the right honourable Government. He had consulted a paper published in Ireland, a paper having great circulation and influence (The Nation), to see how it regarded that on which all here were unanimous. It began thus:—

"'Our secession from the policy and the feelings of the Empire is beginning to be felt. America has acted on it. She has defied England. She has annexed Texas against England's interests and wishes. She occupies and has stated her intention to annex Oregon—a part, says England, of the British Empire; a part of the States, says Mr. Polk. A more direct defiance was never offered, a more serious hurt has not happened to a great Power these thirty years.'

"It then proceeded to say,—

"'Here is Ireland's position, and let all the world know it that likes, and resent it that can. We court, and are most grateful for, the sympathy of America. We expect from her policy that opportunity that shall not be bargained away for concessions, formal or substantial. We shall resume our liberty as a right, not a concession. We shall owe England nothing for its recovery; and, least of all, shall we pay her for her reluctant submission to our power, by becoming the tools of her ambition.'

"He was not afraid of this. He thought he knew how to distinguish between empty bluster and bold resolve. Men who meant these things would not talk about them; but then they were giving encouragement to those who put forth these things, when they proclaimed that what
Ireland could not expect from their justice, she might obtain from their fears. It seemed to him that they were working out the principle which Grattan had laid down in 1782, 'That England's weakness was Ireland's strength.'

The member for Bath, Mr. J. A. Roe buck, used even more uncompromising language, accusing Peel of being coerced by the Irish party and of being afraid of a rupture with the United States.

"If he had not discerned the small cloud in the west he would not yet have made the concession. That was the fair interpretation of the language of the right hon. Baronet. He was afraid of a war with America: that was the plain English of the matter. Being frightened by a possible rebellion in Ireland, and a possible war with the United States, the right hon. Baronet had said to his Colleagues, 'Don't you think it better that we should give these Irish a sop?'"

With his cozening argument thus transformed into a confession of cowardice, Peel had either to reply or to tacitly accept the enemy's interpretation. He lost no time in denying the reasons imputed to him.

"If I used an equivocal expression on a former occasion, do not the facts speak for themselves? Have we altered this measure in the slightest degree in consequence of the message of the President? Has not my right honourable Friend (Sir James Graham) correctly stated that the outline of the measure was prepared in November last, when we were led to believe that the discussion on the subject of the Oregon...

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1 Hansard; op. cit.; vol. 79, p. 1152.  
2 See biographical note.  
3 Hansard; op. cit.; p. 1211.
question would soon be brought to a close! Did not the last President refuse to present the Papers to the Senate, because he said he was of the opinion that the negotiations would soon be brought to a successful termination? It was at this period that the measure was prepared. The Speech of the present President did not induce us to add one shilling to the grant, or to alter the measure in any way that would be likely to make it more acceptable to the people of Ireland. But seeing the temper with which it was received in Ireland after it had been proposed, was it not natural for me to say I did rejoice, after having been compelled to use the expressions which I did, in consequence of the Motion of the noble Lord—was it not, I ask, natural to say that I was rejoiced to see the altered feeling in Ireland, satisfied as I was that this measure was likely to prove a message of peace? But can the right honourable Gentleman infer from that that the fear of America had any reference to the proposal of our measure? Sir, this measure has not been extorted from us by agitation. We showed a resolution to contend against agitation with such means as the law of the land afforded us without desiring to apply to Parliament for any increased powers; and in regard to the threatenings of the President of the United States, I have only to observe that his language has no influence whatever on our conduct towards Ireland.

There is no doubt that this last statement would never have been made, had not the opposition to his former remarks been so strenuous. Peel must have intended to infer, originally, that it was not ime to antagonize Ireland when danger of foreign war impended. Nevertheless

Hansard; op. cit.; vol. 79, p. 1222.
it is very interesting to note how the various phases of home and foreign policy reacted upon each other.

In Canada, Lord Aberdeen's instructions in regard to the sending of a military officer to Oregon were receiving close attention. Sir Charles Metcalfe, the Governor, transmitted his orders to Jackson, in command of the military forces in Canada.

Two officers, Lieutenants Warre and Vavasour, were entrusted with the Herculean task of undertaking a complete military survey of the Oregon territory while ostensibly engaged as peaceful travellers. They were to look for guidance to Sir George Simpson, governor of the Hudson's Bay Company and in charge of their affairs in Canada, who had lately reported to Sir John Pelly, the head of the company, on the possibility of a military defence of Oregon. Simpson had a grandiose scheme of a half-breed militia with regular officers, a battery of artillery established on Cape Disappointment and an armed fleet off the Columbia. Accordingly, on May 30, 1845, he advised Warre and Vavasour that,

"If, after you have made an accurate survey, it be found that any part of the back country overlooks the Cape, Mr. Ogden has been instructed to take possession of such commanding positions also."

Thus, with every assistance from the officials of the Hudson's Bay Company, Warre and Vavasour set out on their long overland journey to the Columbia, via the Red River Settlement.

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1-2 See biographical notes.
3 Simpson to Pelly, Mar. 29, 1845.
4 Quoted in Joseph Schafner, "Documents Relative to Warre and Vavasour's Military Reconnaissance in Oregon, 1845-6"; Oregon Historical Quarterly; vol. 10, no. 1, p. 13.
Meanwhile, Pakenham had forwarded the unwelcome news to Aberdeen that the United States had refused the proffered arbitration. Buchanan had stated that while his country was as friendly as ever he would prefer to negotiate directly rather than to call on the aid of a third power. Pakenham asked if the United States would, if necessary, resort to war rather than to arbitration. To this Buchanan said he could not reply, whereupon Pakenham suggested that he had better advance a proposition himself since the British proposals had all been received unfavourably. Buchanan hesitatingly agreed to consider the matter.

When his reply came to hand, it stated that "the President has determined to pursue the present negotiation to its conclusion upon the principle of compromise in which it commenced, and to make one more effort to adjust this long-pending controversy. ................. He has, therefore, instructed the Undersigned again to propose to the Government of Great Britain that the Oregon Territory shall be divided between the two countries by the forty-ninth parallel of north latitude from the Rocky Mountains to the Pacific Ocean; offering, at the same time, to make free to Great Britain any port or ports on Vancouver's Island, south of this parallel which Great Britain may desire."

Acting on his own initiative, Pakenham refused to accept this proposal, feeling that it was unfair to Great Britain as it offered even less than the proposal of 1826, which had at least included free navigation

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1 Pakenham to Aberdeen, May 13, 1845. "Oregon"; op. cit.; F. O. S, Vol. 460
2 Buchanan. Buchanan to Pakenham, July 12, 1845. Correspondence Relative to the Negotiation; op. cit.; p. 39.
3 See above, p. 58.
of the Columbia. Especially in regard to Vancouver Island was Pakenham disappointed and he therefore did no "feel at liberty to accept the proposal offered by the American Plenipotentiary for the settlement of the question". He suggested that the United States should advance a further proposal.

This President Polk would not do, but on the other hand blamed Great Britain for the failure of the negotiations and declared his last offer no longer open. Buchanan's message reads:

"Under such circumstances, the Undersigned is instructed by the President to say, that he owes it to his own country, and a just appreciation of her title to the Oregon Territory, to withdraw this proposition to the British Government, which had been made under his direction, and it is hereby accordingly withdrawn."

Pakenham was at a loss to account for the motives actuating this abrupt withdrawal, but, on the strength of a verbal interview with Buchanan was inclined to ascribe it to the weakness of and disension in the American Cabinet. In his report he expressed the opinion that the settlement would have to wait for a crisis in the relations of the two powers.

In acknowledging receipt of the dispatch, the Foreign Minister rebuked Pakenham. Although concurring in his rejection of the American offer, Aberdeen thought he should have referred it to the home government, so as to have left an opening for further negotiation. He accordingly

1 Pakenham to Buchanan, July 29, 1845. Correspondence Relative to the Negotiation; op. cit.; p. 45.
4 Aberdeen to Pakenham, Oct. 3, 1845. Ibid.
instructed Pakenham to try to place the matter in its former state, and, if that were impossible, to suggest arbitration a second time.

Aberdeen was inclined to blame Pakenham overmuch for the failure of the discussions, while the latter was scarcely accountable for the vagaries of Polk and Buchanan. He certainly had no reason to believe that a simple refusal of a proposal often refused before was to precipitate a breaking-off of negotiations. In an interview with MacLane, the American Minister in London,

"Lord Aberdeen not only lamented but censured the rejection of our proposition by Mr. Pakenham, without referring it to his Government. He stated that if Mr. Pakenham had communicated the American proposition to the Government here, as he was expected to have done, he, Lord Aberdeen, would have taken it up as the basis of his action, and entertained little doubt that he would have been enabled to propose modifications which might ultimately have resulted in an adjustment mutually satisfactory to both Governments."

Meanwhile the first reports of the Warre-Vavasour expedition were arriving. These two British officers had arrived at the Red River Settlement after an arduous journey which impressed them with the conviction that the transportation of any large body of troops by the overland route was thoroughly impracticable. With Ogden and a small party of other Hudson's Bay men they left for the Columbia on June 16.

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1 See biographical note. MacLane to Buchanan, Oct. 3, 1845. North America No. 4; op. cit.; p. 27.
2 Warre and Vavasour to the Colonial Secretary, June 10, 1845. F. C. 5, Vol. 442.
4 Simpson to Pelly, July 8, 1845. F. C. 5, Vol. 443.
Rear-Admiral Seymour, too, had handed in a report to the Admiralty for transmission to the Foreign Office. In accordance with instructions, he had ordered H. M. S. America to proceed to the Straits of Juan de Fuca. His report was entirely unfavourable to the possibility of a naval defence of Oregon, due to the dangers of navigation of the Columbia by war vessels. He concluded:

"The local circumstances of the Columbia are much more unfavourable to the support to be derived from Naval Assistance, than I should wish, but I shall lose no opportunity of affording it, if the necessity arises, to the best of my ability."

All these discouraging reports made the British Government still more desirous of bringing such a vexing question to a speedy conclusion. Lord Aberdeen's instructions to Pakenham on November 28 were very complete. He could not forbear from again expressing his regret that the latter had not referred the last American offer to London, as in that case the negotiations would not have come to so abrupt an end. Since the onus of re-opening the discussion now rested on Great Britain, he ordered Pakenham to submit a second offer of arbitration to Buchanan. While giving as his opinion that the whole dispute was over "a point, which, however its importance may be magnified by national pride or popular passion on both sides, is in reality but of comparatively small public value or interest to either party; and certainly not one upon which wise and patriotic Governments should wish to stake the peace and happiness of their peoples", he reiterated the attitude of Great

1 Seymour to the Admiralty, July 14, 1845. F. O. 5, Vol. 444.
2 Aberdeen to Pakenham, Nov. 28, 1845. Correspondence Relative to the Negotiation; op. cit.; p. 59.
Britain.

"Should the Government of the United States reject this proposal, and at the same time virtually refuse to settle our differences by means of direct negotiation, in a matter which cannot be said to affect the honour or essential interests of either party, they will render themselves deeply responsible. Be the consequences what they may, Her Majesty's Government will have no choice but to maintain unimpaired those rights which they believe Great Britain to possess, and which they have in vain sought to make the subject of equitable compromise."

A very shrewd comment on Aberdeen's attitude of mind was made by the American Minister, MacLane, in a note to Buchanan. MacLane did not think that there would be war unless America went out of her way to defy Great Britain, and therefore advised the United States executive to continue their present policy of intimidation, thus compelling Great Britain to accept their offer. He continued:

"Although I am quite sure that the Earl of Aberdeen has no idea at present of accepting the compromise contained in the President's proposition, it would not surprise me if an arrangement upon that basis should prove acceptable to large and important classes in this country, indeed, composed of principally by the Hudson's Bay Company and those in its interest.

"That the Ministry would find it difficult and hazardous to prefer war to such a settlement may well be imagined, although you may assume it to be certain that when war becomes inevitable it will receive

1 Aberdeen to Pakenham, Nov. 28, 1845. Correspondence Relative to the Negotiation; op. cit.; p. 60.
the undivided support of the British people."

Still another comment of importance is to be found in a private letter written early in December:

"One thing is consolatory, viz., that after the publication of Mr. Webster's speech here yesterday Consul is improved. The stock-jobbers say that 'the 40° is about right and there can be no difficulty.' That will be the feeling of nine-tenths of the people of Great Britain, but this has been refused by so many ministers that Lord Aberdeen may hesitate."

The importance of a new force in the dispute can scarcely be over-emphasized. British capitalists were beginning to lay out large sums of money in American investments while factory-owners were regarding it as a source of cheap bread for their workers and a market for their products. Such men were entirely opposed to a war which would inevitably bring them financial loss. Hitherto the Hudson's Bay Company alone had been interested in Oregon; now the attention of British financial and industrial magnates was focussed on it as a possible cause of disturbance of the world's peace. The influence of these men was directed toward a speedy settlement, a circumstance making it easier for a ministry to compromise on a debateable question.

The need for promptness was soon recognized when Pakenham transmitted the Presidential Message of December 2, 1845. Polk laid

1 MacLane to Buchanan, Dec. 1, 1845. North America No. 4; op. cit.; p. 28.
2 Whig secretary of state under Harrison and Tyler. The speech referred to advocated the 49th parallel as a boundary.
4 Pakenham to Aberdeen, Dec. 2, 1845. Correspondence Relative to the Negotiation; op. cit.; p. 60.
the entire blame for the abrupt termination of the discussions at the
door of Great Britain, at the same time asserting that the American title
to the whole of Oregon must be maintained. He recommended to Congress
the immediate abrogation of the existing Convention, the extension of
American law over Oregon and the establishment of Indian agencies, land
agencies, the overland mail and military posts in that territory. He
concluded on this high note:

"At the end of the year's notice, should Congress think it
proper to make provision for giving that notice, we shall have reached
a period when the national rights in Oregon must be either abandoned
or firmly maintained. That they cannot be abandoned without a sacrifice
of both national honour and interest, is too clear to admit of doubt."

Pakenham's next dispatch, on December 13, told of the presenta-
tion in the Senate of petitions from settlers in Oregon asking for the
extension of American law over them. Notice of another bill for the
establishment of a territorial government had been given in the House
of Representatives. Senator Cass had introduced resolutions regarding
military and naval conditions. Pakenham was now inclined to think,
in view of the Presidential Message, that Buchanan's offer and its
consequent withdrawal were not meant to be accepted but comprised a feint
to give the President an excuse for his extreme stand.

On December 27, he reported he had submitted the offer of arbi-
tration as he had been instructed to do. He had also interviewed

1 Correspondence Relative to the Negotiation; op. cit.; p. 64.
2 Pakenham to Aberdeen, Dec. 13, 1845. "Oregon"; op. cit.; F. O. 5,
Vol. 460
3 Pakenham to Aberdeen, Dec. 27, 1845. Ibid.
Senators Archer of Virginia and Benton of Missouri, together with a Mr. Corcoran, a Washington banker. These gentlemen had assured him that, if he were to propose the 49th parallel boundary, with Vancouver Island reserved for Great Britain, although the Government would not immediately accept it, they would present it to the Senate for consideration and that the latter body would be certain to advise its acceptance. On his part he had promised to suggest this proposal to the British government. He had also had a friendly, confidential talk with Senator Calhoun who had promised to do all in his power to prevent hostilities.

The efforts of the peace party in the United States were eventually to prove successful only because the majority of both American and English people were opposed to war. The former could see the folly of a ruinous war with Great Britain when a struggle with Mexico already loomed on the horizon. The latter could not afford to alienate their best customer and the source of their cotton supply.

The doubtful etiquette of Pakenham's interview with influential members of the legislative body was fully justified by events. On December 17, Cass's resolutions calling for an inquiry into military and naval conditions passed both Houses unanimously. Senator Allen of Ohio presented a joint resolution calling for notice of abrogation of the Convention of 1837 to be given immediately to Great Britain. The peace party intervened to give Great Britain time for a settlement.

The work of financial interests on both sides of the Atlantic in the prevention of an open rupture can be traced throughout the remainder

1 Both of these gentlemen were very interested in Oregon and prominent in the discussions on that subject in the Senate. See biographical notes.

2 Cf. above, p. 95.
of the dispute. Taking as a single example the case of Baring Brothers, an English banking house which had invested heavily in American securities, we can see how close a watch they kept on affairs in order to protect their own interests. Quietly and unobtrusively, but nevertheless effectually, they bent their energies towards the forcing of a solution.

A copy of a letter from their representative to Daniel Webster, early in 1846, shows the financial pressure at work.

"For myself, I cannot but look with confidence to this being done, and to the adjustment of the Oregon difficulty — But of this Messrs. Baring and their friends must judge for themselves, and I have no authority to commit them in any event — I can only say that Messrs. Baring Brothers and Company are sincerely desirous both as Agents of the State of Maryland and the Canal Company, and as being largely interested in the bonds of Maryland, to have the Canal completed, — and will do all they shall deem safe and proper for them to do, to aid in permitting its accomplishment."

Meanwhile the President had refused Aberdeen's last offer to arbitrate, protesting that acceptance of such an offer would be a tacit admittance of Great Britain's right to a portion of the territory. Buchanan expressed a polite hope that the problem would still be settled.

Even as this deadlock was reached, Ward was reassuring Baring Brothers:

"I think there cannot be any war about Oregon — and in the

1 The Chesapeake and Ohio Canal. 2 Ward to Webster, Boston, Jan. 2, 1846. Baring Papers. 3 Buchanan to Pakenham, Jan. 3, 1846. Transmitted to Aberdeen, Jan. 5. Correspondence Relative to the Negotiation; op. cit.;
confident opinions I have always expressed I have gone on the ground
that it was the interest, policy and safety to keep the peace — and
eminently so with the United States. — If, however, there is anything
in the desire abroad to war against American institutions, then it may
happen whenever it is desired — but this has seemed to me too improbable
and would discover too great madness, as it seems to me, to be credited. —
The general tone of feeling in Washington is pacific, notwithstanding
the blustering of the speeches. —

The efforts of the peace party in the Senate had caused the
postponement, by a vote of 32 to 18, of Allen's abrogation resolution,
until February 10. The Senate meant to proceed "cautiously and deliber-
ately", as Pakenham interpreted it.

Ward concurred in this view. On January 14 he wrote,

"I have nothing new to add but to confirm my preceding views. —
It is confidently said that the Senate is safe and that Mr. Calhoun
has several majority certain. .................. I wish that the
British government may see it as I do — and have it settled. ............
I cannot see but one side to it.............. and my views of the
relations and interests of the two countries are the result of many years
observation; ............ and thought, and I think they cannot be but yours
also — and that they are practicable. "

A second letter came the following day, enclosing an article
from a Boston newspaper. This letter gives the fundamental feeling

2 Pakenham to Aberdeen, Jan. 13, 1846. Correspondence Relative to the
Negotiation; op. cit.
of the financial interests.

"They do not see how we are to avoid war — but, what must be done will be done. — and to me it seems a necessity that the matter be settled, — and all that has occurred on this side from some time past taken together I consider as pacific — If we are to have any difficulty I think it cannot be about Oregon — one thing only is important to either country, and that is that there is no cause of difference suffered to exist between them."

The debates in the British Parliament on the Speech from the Throne opening the new session reflected the desire of all parties for peace. The Speech itself had to admit the existing failure of negotiations to secure it.

"I regret that the conflicting claims of Great Britain and the United States, in respect to the Territory on the North-Western Coast of America, although they have been made the subject of repeated Negotiation, still remain unsettled. You may be assured that no Effort consistent with National Honour shall be wanted on My Part to bring this question to an early and peaceful Termination."

The address in reply to the Speech, made by the Earl of Home, expressed confidence in the Earl of Aberdeen.

"Disastrous as the consequences are when hostilities take place between nations, they are particularly to be deprecated when they occur between two countries bound together by so many ties — the ties of common origin, common language, and of common interests — as England

2 Speech from the Throne, Jan. 22, 1846. Hansard; op. cit.; vol. 33, p. 3.
and the United States undoubtedly are. This must be so evident to all, that the negotiations which may take place on this question must be accompanied by the ardent wishes for success of all reasonable and right-thinking men in both countries. 

I consider also the fact that the same noble Earl, under whose firm and skilful, but at the same time temperate instructions, that noble Lord to whom I have alluded, carried on his negotiations, still presides over the Foreign Affairs of this country; and I may perhaps be permitted to express my confidence, that in the hands of that noble Earl the country will suffer no loss of honour; while at the same time every effort that diplomacy can make will be tried to bring the matter in dispute to an amicable conclusion.

Lord Lansdowne likewise expressed appreciation of the Government's attitude.

"I rise to express my approbation of the intentions expressed in the Speech from the Throne, and my satisfaction at learning the intention of Her Majesty's Government to omit no efforts to maintain, what is of so much importance to the interests of the world, a peace between this country and the United States, without sacrificing any of the honour of this country; and, in conclusion, I must say, that if, with the maintenance of our honour, these efforts should be made, the Government will meet with the warm support of every party in England."

Lord Brougham sounded a warning note.

1 Lord Ashburton. 2 Hansard; op. cit.; vol. 33, p. 10.

3 Speech of Lord Lansdowne, Jan. 22, 1846. Ibid., p. 23. It must be remembered that Lansdowne was a leading Whig, a member of the Opposition.
"And if all efforts should be made, as I hope and trust they will be made, consistently with our honour to preserve the inestimable blessings of peace; and if these efforts should fail, I believe the unanimous support of the people of this country will be given to the Government in that sad though necessary alternative."

In the Commons Lord Francis Egerton expressed "an ardent desire to maintain, by every means consistent with the honour and rights of both nations, the most cordial terms of amity and friendship with that great confederation, the United States."

In the Senate of "that great Confederation", the Committee of Naval Affairs had introduced a bill calling for "the augmentation of the Navy", but this was opposed by the influential Senator Benton as "a war measure", and thence unnecessary. The bill did not pass as the Senate adjourned until February 2 without completing the debate.

On the other side of the Atlantic, Lord Brougham was trying to embarrass the Government with a provocative question. On January 23 he asked Aberdeen in the House,

"Has the noble Lord seen a new argument for the American claim to the Oregon territory, in the shape of globes made and sold in London, wherein the boundaries of the Oregon were described according to the American doctrine?"

1 Speech of Lord Brougham, Jan. 22, 1846. Hahsard; op. cit.; vol. 83, p. 29
2 Address in Reply to the Speech from the Throne, Jan 22, 1846. Ibid.; p. 30.
3 See biographical note.
4 Pakenham to Aberdeen, Jan. 27, 1846. Correspondence Relative to the Negotiation; op. cit.
5 See biographical note.
Aberdeen's denial brought forth the sarcastic remark from Brougham that "it might possibly have been done by the tradesman out of kindness and respect for his customer", the American Minister to Great Britain.

Pakenham had meanwhile proposed to Buchanan an arbitration of the title only. Aberdeen, on receipt of this information, commended his initiative, saying that "he had most judiciously and satisfactorily anticipated the instructions which Aberdeen was about to send to him".

Ward was able to report to Baring Brothers at this period that "the general feeling is that the Oregon question will be settled, and that at all events there can be no very serious difficulty. .......... The war fever is subsiding and all appears to be viewed more and more peacefully - both in Washington, and in the principal cities."

Whatever the feeling in the United States, there is no doubt that all parties in Great Britain were strongly supporting Aberdeen's attitude of peace with honour, of compromise without surrender. One of the leading Whigs, Lord John Russell, replied in answer to an appeal by Everett to avoid war if possible, that, though a friend to the United States, he would not attempt to embarrass the Government "by urging them to a more rigid consistency than they are disposed to maintain". He said he could not account for the American war lust, and continued:

"Our own absolute rights we must defend; our indisputable rights we are ready to submit to arbitration or regulate by fair

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1 Hansard; op. cit.; vol. 83, p. 342. Pakenham to Aberdeen, Jan. 29, 1846. Correspondence Relative to the Negotiation; op. cit.
compromise; and we seek nothing from the United States which it is not consistent with both her honour and her interests to grant.

"Our Ministers will not have my support unless they can show they have tried every avenue to honourable arrangement. But against wanton aggression they will have not only my support, but that of the whole nation."

The attitude of Lord John Russell was largely the attitude of the British people. Anxious for settlement and inclined to peace, if they felt that their just demands were to be ignored or treated with contempt, they were ready to take up arms, even against a nation of kinsfolk to whom they were bound by every tie of interest and sentiment.

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1 Russell (See biographical note) to Everett, Feb. 3, 1846. Spencer Walpole, Life of Lord John Russell; Longmans Green, London 1889; vol. 1, p. 421.
CHAPTER EX.

The OREGON TREATY

Matters were fast moving towards a crisis. In the American Congress a long and acrimonious debate took place on February 2 and 3. Democratic Congressmen and Senators from the West called for immediate action. One after another they stormed against compromise, against "capitulation" to Great Britain. Sawyer and Parrish of Ohio urged immediate occupation of the whole of Oregon and war with Great Britain. Yell, of Arkansas, and Lewis Cass, of Michigan, reiterated the demand of 54° 40' as the boundary. The Whigs of the South and East advocated a policy of compromise, securing for the United States the country south of the 49th parallel already occupied by her nationals.

The Government deliberately assumed the extreme position to which it was pledged by its pre-election promises. Buchanan absolutely declined to consider Pakenham's last offer of arbitration of the title only, declaring (quite correctly) that it would lead to a division of the territory, which his Government could not accept.

"To her (i.e., Great Britain) Oregon would be but a distant colonial possession of doubtful value, and which, from the natural progress of human events, she would not probably long enough enjoy to derive from it essential benefits; whilst to the United States it would become an integral and essential portion to the Republic."  

1 See biographical note.


3 Buchanan to Pakenham, Feb. 5, 1846. Correspondence Relative to the Negotiation; op. cit.; p. 70.
The British Government was rapidly being forced into the position where it would have to suggest a compromise favourable to the United States, and it was becoming more and more clear that the oft-suggested 49th parallel would be that acceptable compromise. The very firmness of the extreme American demand made it easier for Aberdeen to suggest a solution which, on the surface, seemed to preserve so much for Great Britain. Moderates on both sides expected a speedy settlement. Ward reported to Baring Brothers that "all continues to look favourable at Washington and it is believed that negotiations are in progress and that an early adjustment to the Oregon question may be expected."

The time was not quite ripe, however. Aberdeen seems still to have cherished some faint hope of holding the north bank of the Columbia River, at least in part; so the deadlock continued until well on in April. The moderate party in the Senate, led by Senator Benton of Missouri, favoured compromise on the 49th parallel. The antics of the extremists, with their cry of "54° 40', or fight!", were not popular, except in the West, and tended to influence American opinion in favour of Great Britain.

2 3 See biographical note. "The general opinion is that the Oregon matter is in progress of settlement and that Mr. Pakenham and Mr. Buchanan see the way clear for an amicable and satisfactory adjustment — public opinion is strong against the course and tone of our own administration and infavour of that of Great Britain — and will deprive the president of the power to adopt rash measures, if he were so disposed, which I have reason to believe he is not. — Great Britain, as it seems to me is now presenting her true policy — that of a liberal, honourable and conciliatory spirit — and the more she places us in the wrong, the more she elevates herself before the world and her own people — and the more certain she promotes her own objects, and the more certain to preserve the best relations with the United States. " Ward to Baring Bros., Boston, Feb. 14, 1846. Baring Papers.
So evident was this that Pakenham regained confidence in his hopes of a speedy settlement. His dispatch of February 26 reported the Colquitt Resolution in the Senate, giving notice of abrogation of the Convention of 1827, but noted with satisfaction that it was accompanied by a friendly rider explaining that the notice was not hostile to further negotiation. Pakenham had had further conversations with Calhoun and Webster, both of whom believed that the Senate was in favour of partition of the disputed territory. He expected the Colquitt Resolution to pass on March 2.

The belief in the eventual partition of the territory by a line along the 49th parallel was gaining ground rapidly. Ward Reported to Baring Brothers on February 26,

"There seems to be some cloud yet over our relations with Great Britain. — It is very painful to be thus constantly disappointed and amazed. I look however with confidence to an early adjustment of the Oregon question, and to a smoother sea and less difficult navigation. If all settles down quietly, I see nothing to prevent a decided improvement in good American securities and indeed in all American securities of states."

A second letter, of the same date, went into greater detail.

"The accounts from your side are agreeable, but the effect of our refusal to arbitrate remains to be seen. — after all that Great

2 It did not pass both Houses until April 23. Unsettled conditions were having an averse effect on the market price of American state bonds, in which Baring Brothers were largely interested.
In the United States one great difficulty still remained; who was to take the responsibility for abandoning the "54° 40'" platform, the President or the Senate? From this time on a great deal of correspondence was interchanged between Polk, his Cabinet and the Upper Chamber.

The still unsettled situation was having a depressing effect on financial affairs, a state reflected in three letters from Ward to Baring Brothers, all dated March 16. Although sanguine as regards future activity in America, he was forced to admit that moneyed interests were waiting to see the outcome of the Oregon dispute before proceeding with further speculation.

"The money market is however eager — and if the Oregon question is settled, all seems to be in the main right, and in regard to your concerns here, I believe all in a safe position, although not in a very active state at this time. — The check seems to be salutary, as all the natural tendencies are to a future expansion."

March 17 saw another little debate in the House of Lords on Oregon, precipitated by a request from the Earl of Clarendon that the correspondence of the negotiation to date be laid on the table. Considerable anxiety must have prevailed in England for, although plenty of rumours were circulating, practically no-one had accurate information on the question or its progress. This spirit of uncertainty was disquieting and Clarendon was careful to explain that in making his request he was not in any way trying to embarrass the Government. He said,

"I think it is important that we should not be altogether

2 See biographical note.
dependent upon American newspapers for such information as may have been produced to the Congress respecting the actual state of affairs in this transaction. For many weeks, almost up to the present time, this question has been debated in Congress; while in Parliament, which has now been sitting for nearly two months, no allusion has even been made to it, except by my noble Friend the noble Marquess (Lansdowne) and by my noble and learned Friend near me (Lord Brougham) on the first night of the session; and also I believe, on one single occasion, in the House of Commons."

He feared that such silence, proper as it might be, might be misconstrued by the American People as indifference, "and I think it best to guard ourselves against the suspicion on the part of any country, that we would submit to peace purchased by concessions incompatible with our national honour. But your Lordships will bear in mind, that although the language of the two Governments, as far as we are acquainted with it, has been inspired with pacific sentiments; and although information which reaches us from America is of the same character, yet we cannot disguise from ourselves that the two countries appear to be gradually, but involuntarily, drifting towards war."

Here he paused to express his confidence in Pakenham and his opinion that Aberdeen's arbitration scheme was a "wise and judicious course", but that "if there exists on the part of the United States a determination to injure and insult us", the Government "might securely reckon on the cordial, firm, and unflinching support of all classes"

1 See above, p. 138.  
2 See above, p. 139.  
3 Speech of the Earl of Clarendon, Mar. 17, 1846. Hansard; op. cit.; vol. 84, p. 1113.  
4 Ibid.; vol. 84, p. 1113.
in defence of our rights and in vindication of our honour." He did not believe, however, that the United States desired war.

In conclusion he moved,

"That an humble address be presented to Her Majesty, that there be laid before this House a Copy of so much of the Correspondence between Her Majesty's Secretary of State for Foreign Affairs and Her Majesty's Minister at Washington, respecting the Oregon Territory, as can be provided without Injury to Her Majesty's Service."

Aberdeen stated in reply that he was not opposed to the motion but must, nevertheless, beg leave to suppress some of the papers. His reason followed:

"I must admit, that from the aspect of the negotiation, as represented in the Papers produced in the United States, and which I am in a condition to produce to your Lordships, an inference might fairly be drawn not favourable to the probable future results of the negotiation. I say that such an opinion it would not be unnatural to form, but it is my decided conviction that it would be unwarranted and groundless."

Then, in solemn confession, he admitted that there was a grave possibility that his plans might miscarry, although he still believed that the circumstances pointed to a peaceful solution.

"My Lords, after all, it is certainly possible that our efforts may prove fruitless."

Lord Brougham took the opportunity to explain the incident 1

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1 Hansard; op. cit.; vol. 84, p. 1114. 2 Ibid.; vol. 84, p. 1116
3 Ibid.; vol. 84, p. 1118. 4 Ibid.; vol. 84, p. 1118.
of the globe, which he had mentioned in the house on January 29, declaring that Everett had since informed him of the reasons underlying the purchase.

Lord Ashburton, on behalf of the Government, agreed to Clarendon's motion, but expressed the opinion that war between the United States and Great Britain was a folly not to be credited.

"Nothing is more absurd than to suppose that either country should enter on these negotiations with a view to gain any particular advantage, or on the supposition that either has undisputed rights; for it is impossible to deny that both States have pretensions to the territory in dispute, and that the only question is how the disputed claims can be settled in a manner which any reasonable man should say is a reasonable settlement. ................. I hope I may add, from my own experience, and from my knowledge of the feelings of the people in that country, my confident belief that these negotiations will be brought at last to a safe and honourable conclusion. ..............

"I also perfectly concur in the opinion that the possibility of two countries in the state of civilization of America and this country, having the madness to become involved in war for a question worthless in itself, and for nothing but a mere question of honour, is an alternative which, whatever be the unfortunate expressions used by individuals, I, for one, relying on the good sense which is the characteristic of these two countries above all others, cannot for a moment contemplate as likely to occur. "

1 See above, pp. 139 - 140. Everett had ordered the globes made to his own plan at the Map-maker's.

2 Speech of Lord Ashburton, Mar. 17, 1846. Hansard; op. cit.; vol. 84, p. 1118.
Discussion of the same question; namely, the laying of information before the House, took place in the Commons three days later. A Mr. Berthwick called the attention of the Government to the lack of debate on the Oregon negotiations and stated that "There were those who thought that the absence of bluster and bravado indicated the presence of timidity and fear." The war party in the United States had so interpreted the Speech from the Throne and the subsequent proceedings. While he (Mr. Berthwick) did not wish to make a motion, he wished to ask "whether it were the intention of Her Majesty's Government to present to this House copies or extracts of any correspondence which may have passed between the Secretary of State for Foreign Affairs and Her Majesty's Minister at Washington, in relation to the Oregon Territory."

Peel replied that he was convinced there was no such misconstruction in the United States. He refused to lay the correspondence mentioned before the House, but offered, if he were requested and in that case only, to present the documents already made public.

The Whig leader, Russell, stated that he had no intention of asking for the papers until some conclusion had been reached in the negotiations. This policy he strictly adhered to, so that the matter was not mentioned again in the House until well on in May.

Meanwhile Baillie, commanding H. M. Sloop Modeste, had visited the North West Coast, although his report was not received until after

1 Speech of Mr. Berthwick, March 20, 1846. Hansard, op. cit.; vol. 84, p. 1278.
2 Ibid.; vol. 84, p. 1278.
The early reports of the Warre-Vavasour expedition were also filtering in after their long passage across a continent and an ocean. Warre and Vavasour had found that the scattered posts of the Hudson's Bay Company were not adaptable to defence. They had bought a site on Cape Disappointment for a possible fort, but otherwise had little information of a satisfactory nature.

The Oregon dispute was still causing a slight financial depression in the United States, speculation suffering a check. On March 31, Ward reported to Baring Brothers,

"Money Market. — The supply of Bills is small, and some specie is going out — and I shall not be surprised to see some tightening in the money market, which shall be salutary, and tend to check expansion — but I do not see that it can be so severe as to do any harm — The Oregon question had given a check, which though annoying from its cause, has been beneficial in its effect and your business concerns may be conceded the safer for it.

"Foreign Relations. There seems to be no apprehension of war — but a general belief that the Oregon matter is about to be settled.

1 One thing I feel satisfied about is that the presence of the Modeste has had the effect of keeping this country quiet, and of preventing any attempt at aggression on the part of America against British property; possibly nothing of the sort might have taken place had there been no Ship of War here, but from the great number of emigrants arriving in a miserable condition, and the attempts made theyyear before to intrude on British property, made it at least very doubtful." Baillie to Capt. Hamilton, Mar. 24, 1846; transmitted to Stanley of the Colonial Office on Aug. 18, 1846. F. O. 5, Vol. 462.

2 Warre and Vavasour to the Colonial Secretary, Dec. 8, 1845. F. O. 5, Vol. 457.
The Cabinet here, or the president seem to have conducted very awkwardly, — still the public sentiment overrides and controls, and with the present feeling and conciliatory tone on your side, all will be well. — but it should be settled now — and I look for something by the next or succeeding steamer that will lead to its adjustment.

"Stocks." Pennsylvania's are down to 70 — partly owing to the money market, and more to speculative operations in consequence of damage from freshets to public works, and political agitation — as I suppose — a tight money market would depress most stocks, except Massachusetts and New York, which are mostly held for investment.

"The Tariff." It seems quite doubtful whether any alteration will be made this season — I believe no one can tell at present, but, looking to the position of the dominant party. — To the public sentiment — and to the difficulties in the way, I should think it on general grounds not likely to be altered."

On April 10, Ward was still hopeful.

"The war feeling is passing away and I presume something is expected from your side that will lead to a settlement. .................

"The newspapers will give you all that is of interest. I see nothing likely to go wrong in your concerns — (erasures) — still, the general feeling is not elastic, although I see nothing in operation that is not salutary."

On April 28 he was even more sanguine.

"I conclude the Oregon is now to be soon settled — at least

I think it may be settled now on any terms that it is even probable will be accepted, the line of 49° with the free navigation for a term of years of the Columbia, and a satisfactory adjustment as to Vancouver's Island. 

A few days later he came to the conclusion,

"I shall think it a great mistake if the two governments do not now settle the matter in the manner indicated."

Another interesting document of this period is a letter from Lord Ashburton to Sturgis, complimenting him on the pamphlet he had published as being "fair and impartial". Ashburton then proceeded to air his own views on the question. These are important, for it must be remembered that Ashburton was to some extent Aberdeen's special adviser on American affairs. His opinions follow:

"I have personally a high opinion of the future destinies of that portion of the coast of the Pacific. The Northern Pacific Ocean, and in the course of time probably the Eastern shores of Asia will find their masters in the country North of California. But I have a very low opinion of any interest either your country or mine are likely to have in any division of that territory; from the moment it becomes of any real importance, it will not be, and should not be governed from either Washington or Westminster. You do not, or should not want land, and we certainly do not want colonies, and least of all such as would be unmanageable from their distance, and only serve to embroil us with their neighbours. I am not without a wish that this new Pacific

3 See above, p. 105.
Republic should be founded by our own race, which, with all their defects, are likely to spread the best description of Christian civilization; but to say the truth I care little whether this be done from Old England directly, or intermediately through New England. What I do care about is that we should not quarrel about this or any other measure, and I really believe that we should all be better by leaving this question to sleep again for another half century."

The question was not doomed to "sleep again for another half century", however. Before another six weeks had passed, an offer acceptable to the United States was made by Great Britain. The reasons prompting the offer of a settlement which British statesmen had hitherto refused to consider are not hard to find. By April 23, the motion for giving the required notice to abrogate the Convention of 1827 had passed both Houses of the American Legislature. The Hudson's Bay Company was extending its activities in the districts north of the 49th parallel and had already chosen the site and built the post for a new headquarters. The reports of Warre and Vavasour, as well as those of naval investigators, had hitherto proved discouraging to any hopes of holding the country by force, even if such a procedure had been desirable.

Accordingly, on May 18, Aberdeen empowered Pakenham to make his final offer to the United States Government.

"You will accordingly propose to the American Secretary of State that the line of demarcation should be continued along the 49th parallel, from the Rocky Mountains to the sea-coast, and from thence,

1 Suggested in the pamphlet by Sturgis. 
2 Ashburton to Sturgis, Apr. 2, 1846. North America No. 4; op. cit.; p. 25.
in a southerly direction, through the centre of King George's Sound, and the Straits of Juan de Fuca to the Pacific Ocean, leaving the whole of Vancouver's Island, with its ports and harbours in the possession of Great Britain."

This offer had already been communicated to MacLane by Aberdeen on May 10. The offer reached the President on June 3, was discussed by him with his cabinet, and on June 10 was laid before the Senate. Two days later a resolution advising its acceptance was passed by a vote of 38 to 12. On June 15, 1846, the Oregon Treaty was signed by the President, the Senate later ratifying it by a vote of 41 to 14.

The provisions of the Treaty established the boundary and protected the interests of the Hudson's Bay Company. The main article reads:

"From the point on the forty-ninth parallel of north latitude, where the boundary laid down in existing treaties and conventions between the United States and Great Britain terminates, the line of boundary between the territories of the United States and those of Her Brittanic Majesty shall be continued westward along the said forty-ninth parallel of north latitude to the middle of the channel which separates the continent from Vancouver's Island; and thence southerly through the middle of the said channel, and of Fuca's Straits, to the Pacific Ocean: Provided, however, that the navigation of the whole of the said channel and straits, south of the forty-ninth parallel of north latitude, remain free and

1 The Gulf of Georgia. 2 Aberdeen to Pakenham, May 18, 1846. North America No. 4; op. cit.; p. 33.
3 See Soward; op. cit.; p. 79.
open to both parties."

Other articles provided for free navigation of the Columbia River south of the 49th parallel, the protection of the possessory rights of the Hudson's Bay Company and other British property holders, and the indemnification of the Puget Sound Agricultural Company's whose stock was held by Hudson's Bay Company officials if any of its land were to be expropriated by the United States Government.

The ratification of the treaty brought a flood of congratulatory messages to the Earl of Aberdeen and Sir Robert Peel. In the hour of their defeat they rejoiced momentarily in their diplomatic triumph. Princess Lieven but voiced the opinions of the majority when she told the Foreign Minister,

"Jamais ministre n'a quitté les affaires sous des auspices plus magnifiques, plus glorieux - tue le jour de la plus grande victoire, annonçant sa retraite le jour où il annonce un autre triomphe en Amérique."

The Queen herself expressed the feeling,

"This is an immense thing for the peace of the world, reflects such credit on Lord Aberdeen, and it is such a very great satisfaction to us, that Lord Aberdeen should have settled this question, which he alone, she fully believes, could have done."

All comment was not so adulatory. Lord Palmerston, Aberdeen's

1 Malloy; op. cit.; vol. 1, p. 657.
2 On July 6, 1846, the Government was forced to resign, due to opposition within the party to Peel's repeal of the Corn Laws.
3 Princess Lieven to Aberdeen, July 1, 1846. Balfour; op. cit.; p. 143.
4 Balfour; op. cit.; p. 135.
successor in the Foreign Office, probably shared in the thought expressed in a letter received by him shortly after taking up his new duties. The letter referred to is couched in strong terms:

"I implore your Lordship to suspend the conclusion of this Anti-National abomination. The example of the United States on previous occasions affords a sufficient precedent, and it is impossible for the friends of Concord between the two Countries to suppose that any permanent good can result from an arrangement involving on one side the consciousness of a fraudulent triumph and on the other an awakening and overwhelming sense of the most humiliating capitulation."

Such feelings, fortunately, were not general, and both Peel and Aberdeen felt proud of the parts they had played. Peel told Lord Hardinge, "Two hours after this intelligence was brought we were ejected from power; and by another coincidence, as marvellous, on the day I had to announce in the House of Commons the dissolution of the Government, the news arrived that we had settled the Oregon question, and that our proposals had been accepted by the United States without the alteration of a single word."

Aberdeen saw in the settlement of the long-vexatious dispute a vindication of his policy of peace.

"We have sought peace in the spirit of peace; and we have acted in the impression that it would be cheaply purchased by both countries at the expense of any sacrifices which should not tarnish the honour

1 Henry Parrish to Palmerston, July 14, 1846. F. O. 5, Vol. 461.
Reviewing the whole question, it is but fair to pay tribute to Aberdeen's moderation in his dealings with the United States. On the other hand, one is inclined to feel that his was not such a glorious part as some of his contemporaries thought it to be. He seems to have lacked the ability to make decisions, to have depended a little too much on the twists and turns of circumstance to give him opportunity. He was critical of the work of his subordinates, blamed them for lack of initiative, yet hampered them by a vacillating policy and was prone to censure them for proceeding on their own responsibility. He would have been more likeable, perhaps, had he been more of a firebrand and less of a pacifist; but if he had been, then another end would have been written to this story.

It was the very absence of the combative spirit in Aberdeen that made his handling of this problem a success. There is no doubt that the knowledge that the truculent Palmerston would be far less amenable contributed to precipitate a settlement.

The settlement itself was the only possible peaceful solution to the problem. Great Britain may have felt she was making concessions, but the United States could accept no less. In Great Britain, too, the country felt with Aberdeen that peace was cheaply bought at the cost of a few academic withdrawals from the extreme position hitherto held. Very few were sorry to see the sun of renewed friendly relations disperse the "small cloud in the West" which had seemed the herald of a violent storm. All parties heard with satisfaction that section

1 Lord Stanmore, The Earl of Aberdeen; Dent, London1905; p. 180
of the Queen's address proroguing Parliament which stated,

"Her Majesty feels the greatest Satisfaction in reflecting that Her Majesty's Efforts to settle, in a manner consistent with National Honour, the conflicting Claims of Great Britain and the United States, with respect to the Territory on the North-West Coast of America, have been completely successful."

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1 In House of Lords, Aug. 28, 1846. Hansard; op. cit.; vol. 37, p. 1061.
APPENDIX A.

BIOGRAPHICAL NOTES


BARING BROTHERS and COMPANY. Financial house founded by Sir Francis Paring (1740 – 1810), father of Lord Ashburton. The latter succeeded his father as head of the company in 1810. Sir Francis acquired a fortune of seven million pounds before death. He was largely interested in the East India and American trades.


BROUGHAM, Henry Peter. - Baron Brougham and Vaux. Born in Edinburgh,
Sep. 19, 1878. A chief contributor to the early issues of the Edinburgh Review. By 1807 he was in control of Whig press. Member of Commons, 1810 – 2, for Camelford. Returned to House in 1815, becoming most prominent leader of opposition. Went over to Canning in 1827. Became chancellor in Grey's ministry and was elevated to peerage, 1830. Continued to hold office under Melbourne until 1834. Although member of opposition, supported Peel in some questions. Died at Cannesp; May 7, 1868.


Negotiator at Ghent, 1814. Speaker in Representatives, 1815–21. 
Candidate for President, 1824. Secretary of state under Adams, 1825–9. 


Secretary at war, 1830. Died Feb. 18, 1857.


LANSDOWNE, Third Marquis of. - Henry Petty-Fitzmaurice, born July 2, 1780.


METCALFE, Charles Theophilus. – Baron Metcalfe, born in Calcutta, Jan. 30,


PITT. William. – Writer on agriculture and politics, born at Tettenhall, 1749. Died Sep. 18, 1823. (This is probably the author of the letter in Foreign Office, referred to above, p. 4.)


ROEBUCK, John Arthur. - Born at Madras, 1801. Member of Commons, 1832 - 79, as independent radical. Orator of note, especially concerned with foreign policy. Died Nov. 30, 1879.


Elected to provisional Congress of Confederate States, 1861. Died Jan. 18, 1863.


YEO, Sir James Lucas. - Born at Southampton, Oct. 7, 1782. Entered
APPENDIX B.

EXTRACTS from CONTEMPORARY
PAMPHLETS and PERIODICALS PUBLISHED in
GREAT BRITAIN

I. The London Post, 1818. (Exact date not available. Quoted in Report of the Committee of Foreign Affairs on the Territory of Oregon to Accompany H. R. No. 976, Jan. 14, 1839; Thos. Allan, Washington 1839; p. 8.)

"The United States now says that the American Fur Company had no right to dispose of the jurisdiction; and the President it would appear, is determined to force that claim. It must be admitted that the United States have apparently a good case; and if, on investigation, it be found that the sale of property took place, and that the allegiance could not be transferred, the surrender of the post to the United States may be the most prudent course. We have but a limited interest in the occupation of Astoria, while to the United States it is of great importance."

II. The British and Foreign Review, 1844. (Reprinted in the Eclectic Magazine, April, 1844; Bidwell and Co., New York.)

"Upon the whole, the Oregon territory holds out no great promise as an agricultural field, its value seems to consist mainly in the possession of the Columbia river, and of the harbours in the Strait of Fuca. .................

"We have seen that Oregon offers upon the whole very little inducement to agricultural pursuits. No doubt it contains detached
portions of good lands, but these form the exceptions and not the rule. It does not contain any precious metals or valuable minerals. The climate is too cold for the cultivation of cotton, rice, coffee or tobacco. The natives, of whom there are said to be about 20,000, are savages, incapable of useful labour. There is no promise of any productive article of export; and the cultivators, from whatever country they may come, will be labourers more probably for subsistence than for profit. The fur trade had been hitherto the only channel for the advantageous investment of capital in these regions, but that trade is incompatible with the progress of settlement, and must gradually cease as the occupation of the country proceeds. .................

"Conciliation should be carried to the utmost length which justice to British interests will permit; but a firm decision should also be taken not to permit the infringement of treaty rights, or of those acknowledged rules of international law which are binding upon all civilized states, and without whose observance there can be no permanent security for the preservation of peace."

III. Adam Thom, Claims to the Oregon Territory Considered; Smith, Elder and Co., London 1844.

"The southern half, it is true, will never be worth much to the Americans, whether as a nation or as individuals; for its only two harbours are hardly good for anything; and it is doubtless a consciousness of this, that prompts Grey's countrymen, even while boasting of his discoveries, to cut a footing, in defence of the tenth commandment, on the Strait of Fuca. But the northern half, with its countless nests of natural harbours, is destined to be the ruler of the Pacific; and of
all the colonies there is not one that is so likely to become a congenial nursling as the screened and serrated coasts of the North-west Archipelago."

IV. The London Examiner, April 26, 1845. (Quoted in North America No. 4; op. cit.; p. 26.)

"If arbitration be unobtainable the only mode of accommodation is mutual concession; and the terms which we suggest for that mutual concession are those which, if we were arbitrators, we should award, namely, that the boundary should be the 49th parallel, until it meets the Pacific, and then the sea. Our only real claim rests on contiguity, and this would give us more than mere contiguity entitles us to. This would give us the whole of Vancouver's Island, and it would give us an abundance of good harbours. It would also give us the country which is best for the purpose we use it, the fur trade."

V. Bell's Messenger, May 17, 1845. Article entitled "Oregon".

"As the Oregon district is the terminus with the Western American boundary, there is absolutely nothing but the physical difficulties of the journey to prevent the immigration of American citizens in any numbers or at any time, and there is not a power on earth which could prevent their settlement in this disputed district at pleasure."

VI. The London Examiner, 1845. Article entitled "The Oregon Question". (Reprinted in Littel's Living Age, June 14, 1845.)

"The Oregon territory is really valueless to England and to America. The only use of it to England is as a hunting-ground, which enables the Hudson's Bay Company to keep up its monopoly against English
people: a monopoly which occasions many species of furs to be twice and sometimes three times as dear in London as in Leipsic. .......... .......... The only real point in dispute, therefore, is a point of honour; the only real question is, what is the maximum which either party can concede, or, which is the same, the minimum which either party can honourably accept."

VI. The London Times, 1845. (Reprinted in Littel's Living Age, June 21, 1845.)

"It is, however, to be feared that the unsuccessful negotiations which were terminated by the temporary convention of 1827, will materially embarrass both parties in the course of that arrangement which is now pending. .......... In this instance, as between the two parties to the dispute, the point of honour thus raised long ago has more real weight than the geographical merits of the case or the actual amount of interest."

VII. The Annual Register, 1846; Rivington, London 1847. (Article written in 1845.)

"The great question of the year, between Great Britain and the United States, was the boundary line running through the Oregon Territory, which still threatens to involve the two nations in a serious quarrel, and may even lead to a declaration of war. But we confess we do not anticipate this result. Mr. Polk has been elected to his present position by the democratic party, and is obliged, for a time at least, to echo their wishes and commands; but however uncompromising may appear his sentiments, we are well assured that he will carefully
count the cost before he involves his country in a war with Great Britain.

It was necessary to satisfy his party by laying claim to the Oregon Territory; but there are various modes in which he may relieve himself from the peril of an appeal to arms. We believe that the mercantile community of the United States, compassing the great bulk of the middle class, is decidedly averse to war, and we can hardly doubt that Mr. Polk will avail himself of this feeling to effect an amicable settlement of the question. " (p. 280.)


"But this question of Oregon is one which immediately and deeply and exclusively affects our own honour and interests, and from which we cannot recede." (p. 566.)

"We may regret the loss of the agricultural establishments on the Cowlitz, at Fort Vancouver, and in Puget's Sound; of which, however, the last only is, we believe, of any importance: as to the original object of the posts on the Lower Columbia— the fur trade— it is diminishing so rapidly that the loss will be inconsiderable; and we cannot doubt that our traders will find in Fraser's River and the extensive shores to be appropriated to them, various opportunities of internal communication where they will be safe from rivalry and interruption." (p. 598.)

"That duty [war] if forced upon her, Great Britain was never inclined to abandon, or better prepared to execute, than at this hour; and if the United States, by the rejection of such a proposition, as even her own legislators think reasonable, should drive us to that extremity, on them, and them alone, will rest the awful and odious
responsibility, and on them we trust — in the righteousness of our cause — will fall the heavier weight of the provoked calamity. " (p. 602.)

"And we have still more serious apprehensions that the effect of the free trade measures both on Ireland and on our North American Colonies will more probably revive in the recollection of the United States a confession which our Ministers have already made, that we have one or two sorer places than Oregon. We were certainly not a little startled last year at the gratuitous introduction of this Oregon question into the Meynooth debates. Still more surprised have we been to find, that while 'the small cloud in the west' — then announced to us in terroram — has been growing bigger and blacker, a large proportion of our free trade speculations is founded on the continuance of the most amicable relations between us and the United States. We were told, early in these unhappy discussions, that 'we were to clothe them, and they were to feed us'; and this absurd reciprocity of unequal interests was propounded to us, when it appears that those on whom we were to depend for our existence, instead of being willing to feed us, were ready to cut our throats on so small a pretext as the remote and sterile mountains of Oregon. " (p. 604.)

IX. The United Service Journal, September, 1846. Article by Lieut.-Col. Wilkie, "The Oregon Treaty".

"This division of territory, commonly called Oregon, but properly speaking New Albion, will rise every day in value when it is considered the increase of commerce with China. " (p. 109.)

X. Publius, Thoughts on Finance and the Colonies; Smith, Elder and Co.,
London 1846.

"Reader, - cast your eye on the far far West, on a little nook of land - Oregon! There you behold Brennus and his legions, rushing to take possession, in the person of Polk and the American settlers. Yes! Polk, chief of the Repudiators, is at this moment trying to pick out the eyes of one of our children - it may be a small and poor one, but still it is our Child! - is threatening even now to pick out of Brittania's crown, one of her many costly jewels - a small one, it may be, and to her of little value in itself, but still a costly jewel, - and a jewel SET in Brittania's crown! .................... And the language of the Ministers of the Crown - simultaneously, frequently and determinedly seconded by all then assembled, without one exception, with a solemn 'Amen!' - made known to the President and people of the States that the ransom would be paid in full, be the cost what it may: but paid now, as of old, and as ever - not with gold, but with iron! for that whoso dared to lay a finger on Oregon dared to lay his hand on Victoria's crown and head! And the language of the great heart of her dutiful and loving people to her was, 'Amen! God save our Queen!'"

"But shall we then have a war! Assuredly not. Polk has the insolence of Brennus; but Brennus was a brave man and a tolerable general; and Polk - the Chameleon of the day -

"'The creature's neither one nor t'other, -
I saw the animal last night.'

Polk will not fight - no, not he. General Polk, if he be not a good general, is too good a general to fight:

"'He'll march ten thousand up the hill -
Then march them down again.'"
He had merely set off on a summer's excursion, to dance the Polka with the squatters on the prairies of Oregon. " (p. 118.)

XI. Alexander Simpson, The Oregon Territory; Richard Bentley, London 1846.

"In this case, unfortunately, the information, and deductions therefrom, of the 'leading journal' were far from correct. It ridiculed the demonstration of public opinion and feeling in America in favour of a military possession of 'the Oregon'; and instead of exciting alarm by calling attention to the warlike declarations of popular representatives, who, whatever might be their obscurity and stupidity, yet truly spoke the popular voice—it wrote them down as the ravings of a paltry and despicable clique without influence and without character. " (p. 8.)

"Even were no other sources of information open to me, I might trace from Custom-House returns that the gross produce of the furs collected in this entire region has not amounted to the annual sum of £ 40,000, and gradually diminishes. " (p. 23.)

"The fur-trade of this region lies almost exclusively to the North of the Columbia, for the South, therefore, the Company has no concern; and it affected to consider that there was an implied understanding that the Columbia River should form the boundary between the territories of the two nations. Mr. M'Loughlin, from peculiar motives, lent countenance to this impression. His idiosyncrasy is a belief in grievous oppressions practised on his brethren, the French Canadians, and no Irish patriot equals him in his intense execration of Saxon dominion. He, naturally, wished not that oppressive rule to be exercised over a district where several of his own descendants had taken up their abode, and to which he, himself, looked as his final resting-place. " (p. 35.)

4 "Or whether the natural divisions of the Northern and Southern Oregon are likely to attach ultimately the former by community of interests to Canada, and the latter to the United States." (p. 35.)


"Between British and American settlers the country is at last occupied; and the last duty now to be performed is to trace the line of demarcation between what is occupied by subjects of Great Britain and what by citizens of the United States." (p. 39.)
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