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AN ESSAY,

ON

THE OREGON QUESTION,

WRITTEN FOR

THE SHAKSPEARE CLUB,

BY

EDMUND A. MEREDITH, L. L. B., T. C. D.

BARRISTER-AT-LAW.

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1846.

TO THE PRESIDENT AND MEMBERS OF THE "SHAKSPEARE CLUB,"

THE FOLLOWING ESSAY,

READ BEFORE THEM ON THE EVENING OF

THE 20TH JANUARY, 1846,

(AND PUBLISHED AT THEIR REQUEST,)

IS RESPECTFULLY INSCRIBED,

BY

THE AUTHOR.

ESSAY.

Mr. President and Gentlemen:

In Europe and America alike, the Oregon question, or, as it is now more generally styled, the "Peace or War" question, is the all absorbing subject of discussion. Other political questions have ceased to interest, or are regarded at least as of secondary importance.

It is not, certainly, the novelty of the question, which has gained for it this universal consideration. The question is old, the topics of discussion are exhausted, the arguments are thread-bare.

During a period of nearly 40 years, the Oregon has been upon several occasions the subject of negotiation between the Governments of Great Britain and the United States. Various are the treaties and conventions, the Embassies extraordinary, the protocols and despatches to which it has given birth; still the question remains in "*Statu quo*," the difficulties between the two Nations continue; each party occupies the same ground as in the commencement of the controversy. The diplomatists have toiled much, they have advanced but little; they have adjourned, but not settled the dispute; they have delayed, but not averted the danger. The question has reached its crisis, its decision can be postponed no longer; the parties have joined issue; it remains to

be seen how the issue shall be tried—whether Minerva or Mars shall be the arbiter!

Apparently the arts of peace have failed; and now both nations are sternly, though silently preparing, if need be, to trust the issue of the cause to God and the sword.

Were we to consider the value merely of the territory in dispute, we might be tempted to regard the controversy as unimportant; but when we see who are the competitors, the question assumes a graver character. It is not the greatness of the prize, but the greatness of the combatants, which gives importance to a contest. The prize here is small; but the competitors are mighty: the competitors are Great Britain and the United States, the foremost nations in the old and new worlds. Should they sound the tocsin of war, what nation could hear the sound unmoved? Should they join in battle, what people would not feel the shock?

But to us, in this country, the dispute is one of vital, of peculiar interest. We are intimately connected, physically and politically, with both the contending powers We are the subjects of the one, the neighbors of the other. We cherish our connection with the one, we shrink from incorporation with the other. We love Monarchy, we eschew Republicanism. We hope much from the protection of Great Britain, and dread much from the ambition of the States. It is impossible, then, that we can view without alarm, the increasing difficulties which gather round this question, and the daily diminishing probabilities of its amicable adjustment. We cannot see without apprehension, the gloomy appearance of the Oregon horizon; the clouds which have long been

gathering there, are hourly becoming darker and more lowering,—who can tell how soon they may burst in thunder over both hemispheres? Can we, in such a case, hope to escape the fury of the storm? Surely not! Should Great Britain and the States appeal to arms, this country would, undoubtedly, become the theatre of the war.

There are, I am aware, very many persons, both in this country and in the United States, persons competent too to form an opinion upon the subject, who see in war the sole means which now remains of putting a period to this dispute. Diplomacy and negociation cannot, they say, unravel the gordion knot of Oregon: it must be severed by the sword. I confess I have better hopes; and, notwithstanding the difficulties which now beset the question, I am far from despairing of its ultimate adjustment by peaceful means.

I have great faith in the wisdom and moderation of the man who directs the helm of the British Government. I have great faith in the magnanimity and forbearance of the British Parliament. I have great faith in the love of peace and of its blessings, so deeply rooted, during a repose of thirty years, in the English people; and in spite of the monstrous pretensions of the States; in spite of the arrogant assurance and blustering bravado of Mr. Polk; in spite of the mad thirst for war with England, which inflames so large a majority of the people of the States, I still think and hope that means may yet be found to avert the terrible calamity of war.

But even if the question should be amicably arranged, and the country thus relieved from all immediate danger

in consequence thereof, still an examination of the pretended claim of the States to the whole of Oregon, could not but be deeply interesting to us, as affording another proof, if such were needed, of the aggressive territorial policy of the States; as another step made by them towards the exclusive dominion (which they have marked out for themselves,) over the whole continent of North America. Whether, then, peace or war be the issue of the question, it demands our most serious consideration.

The boundaries of this famous territory, are, no doubt, familiar to you all. The Rocky Mountains and the Pacific Ocean are its natural boundaries on the east and west; the parallel of 54° 40′ north latitude separates it from the Russian dominions on the north; the parallel of 42° separates it from the Mexican dominions on the south. Its length is about 650, and its mean breadth about 550 miles. Quadra or Vancouver's Island, on the coast, forms also part of the *disputed territory.*

Up to the period of Mr. Polk's Presidency, the Government of the United States, had always in their treaties and conventions relative to the Oregon, acknowledged that Great Britain had important rights in that territory. The extent of those rights was the sole question in discussion. Frequent propositions had previously been made by the Government of the Union, to divide this territory with England; in all these propositions the Americans conceded to Great Britain all the territory north of the parallel of 49°, or nearly one-half the whole territory. In addition, important privileges in the remaining portion of the territory were, on some occasions, subjoined; as, for example, the free navigation of the Columbia, *south*

of the parallel of 49°. Great Britain refused these offers. She claimed, besides all this, the portion to the south, embraced between that parallel and the Columbia River. This portion, which is a mere fragment of the whole, was, until Mr. Polk's time, the sole *debated ground.* It remained for Mr. Polk to stultify the acts of the preceding American administration, and to proclaim, in direct opposition to the previous admission of the American Government, that the United States were entitled to *exclusive sovereignty over the whole of Oregon ;* and that the claims of Great Britain to any part of it were utterly unfounded.

In his late message to Congress, Mr. President Polk states it as his "settled conviction" that "the British pretension, to any part of the Oregon territory, conld not be maintained upon any principle of public law recognized by nations." He tells us however, that from deference to what had been done by his predecessors, he proposed to Great Britain to divide the territory by the parallel of 49°; but that the proposition was rejected by the British Plenipotentiary, and he closes with the following remarkable words:—

"The extraordinary and wholly inadmissible demands of the British government, and the rejection of the proposition made in deference alone to what had been done by my predecessors, and the implied obligation which their acts seemed to impose, *afford satisfactory evidence that no compromise which the United States ought to accept, can be effected.* With this conviction, the proposition of compromise which had been made and rejected, was, by my direction, subsequently withdrawn, and *our title to the whole Oregon territory asserted*, and, as is believed, maintained by irrefragable facts and arguments.

"The civilized world," continues Mr. Polk, "will see in these proceedings a spirit of liberal concession on the part of the United States; and this government will be relieved from all responsibility which may follow the failure to settle the controversy."

The Government of the United States has then, in the most solemn and formal manner, denied that Great Britain has any claim whatever to any portion of Oregon; and asserted for itself the right of exclusive sovereignty over the whole. These assertions are bold. Let us see what are the "irrefragable facts and arguments" by which they are attempted to be maintained.

The pretensions of the United States to the exclusive sovereignty of the Oregon, are based, by Mr. Buchanan, on two distinct titles: the *indirect or Spanish* title, and the *direct or American* title, properly so called. The former, or Spanish title, is founded upon the Florida treaty, concluded between Spain and the States, in 1819. The latter, or American title, properly so called, is founded on the discoveries, explorations, and settlements of the Americans in that territory. These titles taken together, form, what Mr. Buchanan is fond of styling the Spanish-American title of the States.

We shall first consider the indirect, or Spanish title: which, according to Mr. Buchanan, would, by itself, confer upon the Americans the exclusive right to Oregon. Under the Florida Treaty of 1819, Spain ceded to the United States "all her rights and claims to any territories west of the Rocky Mountains, and north of the 42nd parallel of latitude." In other words, Spain ceded to the States, by this Treaty, all the rights and claims which she herself then had in the Oregon.

The question then is, what were the "rights and claims" of Spain at that time in this territory? What rights and claims had she the power to cede? The Americans pretend that Spain, at the period of the Flo-

rida Treaty, was entitled to the exclusive sovereignty of Oregon. We contend, on the other hand, that Spain did not possess, at that time, exclusive sovereignty over any part of Oregon; and that, as Spain could not give what she did not possess, the Americans cannot, under the Florida Treaty, claim such sovereignty over any part of Oregon.

We shall endeavour to show, firstly, that, in 1790, nearly 30 years before the Florida Treaty, Spain had, by the Nootka Convention, formally renounced all pretension to the exclusive sovereignty over the Oregon: and that, notwithstanding Mr. Buchanan's assertion to the contrary, that convention was subsisting at the period of the Florida Treaty. Secondly, that even though that convention were not in force in 1819, even though it never had existed, still that Spain would not have had, in 1819, exclusive sovereignty over one rood of Oregon. And, finally, that the Americans, by their own acts, had practically denied the existence of the sovereignty of Spain to that territory.

Antecedent to the Nootka Convention, Spain had undoubtedly pretended to the exclusive sovereignty over the whole north-west coast of North America, inclusive of the Oregon. Spain had before, and with equal justice, laid claim to the sovereignty of the entire continent of North America. The sovereignty of the north-west coast and Oregon, was a mere fragment of her once magnificent kingdom. But her pretended sovereignty over the continent was despised by other nations; her magnificent kingdom had melted away; and towards the close of the last century, except the kingdom of Mexico, Ore-

gon was the only region over which she claimed to have sovereignty. And, in 1790, her pretended sovereignty over the Oregon was also, as we have said, formally, under the Nootka Convention, abandoned. We shall take the history of that Convention from the despatch of the American Plenipotentiary, Mr. Buchanan:

"It is unnecessary," says he, "to detail the circumstances out of which this convention arose. It is sufficient to say that John Meares, a British subject, sailing under the Portuguese flag, landed at Nootka Sound, in 1788, and made a temporary establishment there for the purpose of building a vessel; and that Spaniards, in 1789, took possession of this establishment under the orders of the Viceroy of Mexico, who claimed for Spain *the exclusive sovereignty of the whole territory on the north-west coast of America, up to the Russian line.* Meares appealed to the British Government for redress against Spain, and the danger of war became imminent. This was prevented by the conclusion of the Nootka Sound convention."

By the first article of that convention, it was stipulated that "the buildings and tracts of land situated on the north-west coast of the continent of North America, or on the Islands adjacent to that continent, of which the subjects of his Britannic Majesty were dispossessed, about the month of April, 1789, by a Spanish officer, should be restored to the said British subjects." The second article provides that the British should be compensated or indemnified for the property which the Spaniards had seized, and for the injuries which they had sustained by the Spaniards.

We may remark here, that the restoration of the above land and buildings, and the payment of the said indemnity, were unequivocal admissions on the part of Spain, that England had a right to make those establishments and occupy the territory antecedent to the convention.

To prevent, however, for the future, any disputes as to the rights of the two nations in the territory, the third article was inserted. The words of this article are as follows: "In order to strengthen the bonds of friendship, and to preserve in future a perfect harmony and good understanding between the two contracting parties, it is agreed that their respective subjects shall not be disturbed or molested, either in navigating or carrying on their fisheries in the Pacific ocean, or in the South Seas, or in landing on the coasts of those seas in places not already occupied, for the purpose of carrying on their commerce with the natives of the country, or of *making settlements* there." Subject, however, to a restriction contained in the following article, that the subjects of each Power should have the privilege of trading to the settlements of the subjects of the other.

But it is argued by Mr. Buchanan, that the treaty was annulled in 1796, by the war which then broke out between England and Spain, and that, since the war, it has never been revived.

Now, in answer to this, we say, that the Nootka Convention (as far as regards the Oregon) was not annulled by the war in 1796,—that even if it had been annulled by that war, it would have been revived by the treaty of Madrid, in 1814; and would, consequently, have been in force in 1819. And, finally, that Spain herself regarded the Nootka Sound Convention, or rather the principles which it enunciates, as subsisting and in full force at the period of the Florida Treaty.

The general rule, says Mr. Buchanan, is that war terminates all treaties between the belligerent powers.

Granted. But Mr. Buchanan admits that this general rule is open to an exception. He cites with approbation the language of Lord Bathurst, wherein the rule and the exception are both stated. "The only exception," says Lord Bathurst (as quoted by Mr. Buchanan,) "to the general rule that war terminates all treaties between the belligerent nations, is that of *a Treaty recognizing certain sovereign rights belonging to a nation, which rights had previously existed, iudependent of any treaty engagements. These rights which the treaty did not create, but only acknowledged, cannot be destroyed by war between the parties.*" Now we are willing to take the rule and the exception, as laid down by Lord Bathurst, and adopted by Mr. Buchanan. But we contend that the Nootka Convention comes within the class of exceptions. The rights recognised by the Convention were the rights of trading to and making settlements in the Oregon, rights which had existed, and which Great Britain had acted upon antecedent to the treaty, rights which Great Britain deemed so important and so well founded that she was prepared to make war to maintain them, rights, in fine, which Spain herself virtually admitted that Great Britain possessed antecedent to the Convention, inasmuch as she indemnified Great Britain for her unwarrantable interference with them. Here, then, there was clearly no creation of new rights, there was, merely, an acknowledgment of old ones; indeed, the whole tenor, as well as the nature of the entire treaty, indicates, plainly, that it was regarded by both parties as purely *declaratory*. In a word, Great Britain, previous to the Nootka Convention, had possessed, asserted, exercised, and maintained at the risk of

war, rights in the Oregon, utterly incompatible with the pretended sovereignty of Spain, in that territory; rights which Spain, by her acts, admitted, and by that Convention solemnly bound herself to respect. The war may have relieved Spain from her obligation to respect those rights, but certainly it could not impair their existence. Such, then being the nature of the Nootka Convention, the rights which it acknowledges, the principles which it enunciates, could not be effected or disturbed (according to the rule laid down by Mr. Buchanan himself) by the war, in 1796. They existed, consequently, and were in full force at the period of the cession of Spain's rights to America, in 1819.

But suppose we are not warranted in regarding the convention as a simply declaratory one; what then is its nature? Surely if it be not considered a declaratory, it must be considered as a commercial treaty? Now, regarding it in this light even, it would (if annulled by the war in 1796,) have been revived under the treaty of Madrid, concluded in 1814, between Spain and England, by which treaty "all treaties of commerce between the two countries were expressly revived." Whether, therefore, the Nootka Convention be a simply declaratory or a commercial treaty, it subsisted, and its provisions were in full force in 1819, and, consequently, the rights of Spain in the Oregon, then transferred to the States, must be taken, qualified and restricted as they were, by the admissions therein made in favour of the rights of Great Britain.

I shall, however, not dwell any further upon this Convention, because I am persuaded that the fact of its existence or non-existence at the period of the Florida treaty,

is perfectly immaterial to us. This leads me to the proposition which I stated some time back, that even though the Nootka Convention, had never existed, Spain would not have possessed, in 1819, and, consequently, could not then have transferred to America, exclusive sovereignty over one acre of Oregon.

What then were the rights of Spain to the Oregon, antecedent to the Nootka Sound Convention? If she had then a right of exclusive sovereignty over the Oregon, what was the foundation of that right? If she had then a good title, where are the muniments of the title? It would seem that Mr. Buchanan does not rest the claim of Spain to the exclusive sovereignty of the Oregon upon the discoveries of the Spaniards in that region, the foundation adopted by most persons who advocate the American pretensions. Mr. Buchanan gives us, indeed, a long list of the Spanish discoveries on the northwest coast, commencing with Juan de Fuca, in the year 1592. He most studiously warns us, however, not to consider this as the foundation on which Spain rests her claim. "Spain," says he, at the close of his formidable list of voyagers, "had proceeded in this work of discovery, *not as a means of acquiring title*, but for the purpose of examining and surveying a country to which she believed she had an incontestible right," and again he informs us "that Spain had maintained with the most vigilant jealousy, her title to the sovereignty of the western coast of North America, *ever since the discovery of North America*," and consequently at a period anterior to all discovery in that particular region. The Spanish title then is not based upon their discoveries; upon what is it based?

On this subject Mr. Buchanan is not so clear. He tells us what is *not*, but does not tell us what *is* the foundation of the title. He speaks, however, of the Spanish claim as an "ancient claim," asserted by Spain, for nearly three hundred years, and never seriously questioned by any European Power. Now Mr. Buchanan knew full well upon what this "ancient claim" of Spain was built; this claim which he himself assures us, existed from the "first discovery" of the Continent. It was founded on nothing more or less than the famous Bull of Pope VI. published immediately after the discovery of the New World, in which the Pope of "his own mere motion and liberality, and by his authority, as Successor of St. Peter, made over, all the Continent and islands which then were or might be thereafter discovered, to Ferdinand and Isabella of Spain, and their successors, forever."* This famous Bull was published in 1493, consequently just three hundred years before the Nootka Sound Convention. Mr. Buchanan does not, of course, give us this valuable title-deed of Spain. He tells us merely, that Spain had for nearly three hundred years claimed that country, in common with all the rest of the western coast, and that no European nation had ever denied their claim. He rests the Spanish title, then, not on the positive acts of Spain, but upon the negative acts of the other European powers, in other words, upon the alleged *acquiescence of Europe* in the Spanish title. But let us examine the alleged acquiescence of the European nations in the Spanish title, and see to what in reality it amounts.

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* This rather curious document is given at length, by Vattell, in his Law of Nations. Vide Book 1, § 208.—*(Note.)*

The European nations planted no Colonies, made no settlement on the Oregon, during a period of three hundred years after the discovery of North America. Doubtless because they respected the 'ancient claim' of Spain. Doubtless because they feared to infringe upon the right of sovereignty given to Spain by the Bull of Alexander VI. Surely Mr. Buchanan cannot regard these facts as any admission of the Spanish claims of sovereignty. No settlements were made, no colonies planted in the Oregon by the other European powers, because there was no inducement to do so; this 'Ultima Thule' of the globe had not yet become an object worthy of attention: in fact no nation would have thought, at that time, of appropriating Oregon to any other purpose than that of a penal settlement. This it was, and not the sacredness of the Spanish title, that prevented the Oregon from being occupied by some of the European nations at a much earlier period. The fact that this territory was not occupied by any European nation during a period of three hundred years, may be a proof of the remoteness and worthlessness of the territory, but cannot be adduced as an implied admission of the sovereignty of Spain. And I would ask Mr. Buchanan, did the nations of Europe, above all did England, recognize in any other way directly or indirectly the Spanish title? Did England recognize that title when Drake planted the British Flag upon that territory in 1579, took formal possession of it on behalf of Great Britain, and gave to it the name of *New Albion*, a name by which, for a long period, it was marked on all charts, and by which it was expressly mentioned in the charters granted by Great Britain to Virginia and Caro-

lina. Did England recognize that title when she despatched her Cooks, Dixons, Berkleys, and others, to explore that coast? Above all, did England recognize that title in 1798? Spain then, for the first time, attempted, practically, to assert that title: the Viceroy of Mexico caused the lands and buildings which Lieutenant Meares had occupied and erected to be seized, because he regarded the establishment made by Meares at Nootka Sound to be an infringement on the sovereign right of Spain. Did England then submit to the decree of this self-elected sovereign? Let the war with which she instantly threatened Spain, let the Nootka Sound Convention answer. Great Britain then, never, directly or indirectly, recognized the pretended sovereignty of Spain to the north west coast. She saw that that coast was wholly vacant and unappropriated, and she considered it consequently open, like any other unappropriated region, to her settlements; accordingly, as soon as it suited her purpose to make a settlement upon it, she did so, without any regard to the imaginary title of Spain; and when Spain presumed to interfere with that settlement, England was only prevented from having recourse to arms, to maintain her rights, on Spain's restoring the lands and buildings which she had seized, indemnifying the British for the losses they had sustained, and acknowledging, formally, by the Nootka Convention, Great Britain's right to trade to the Oregon, and make settlements there in common with herself.

So much, then, for England's alleged acquiescence in the Spanish claim to sovereignty up to the period of the Nootka Convention.

But Mr. Buchanan argues that that Convention contained an implied recognition of the Spanish claim. He wishes us to believe that there was a reservation in that Convention of the "ultimate sovereignty" of Spain. But where in the Convention is this reservation made? There is not in the entire of it one single syllable with reference to the sovereignty of Spain; there is not the slightest allusion to it, direct or indirect And why? Because Great Britain laughed at these preposterous pretensions, because she had already practically denied them; because, in fact, Spain herself had virtually abandoned them. As well might we contend that there was a reservation of the "ultimate sovereignty" of Great Britain to that territory, for both nations are placed upon the same footing, and admitted to precisely the same rights, by the Convention.

We might push the argument a step further, and say that the Nootka Convention when it acknowledged that Great Britain had the right of *making settlements* in the Oregon, acknowledged as a necessary consequence her right of sovereignty over those settlements when made. Settlement in an unoccupied country, gives the right of possession or domain, and sovereignty is an incident to domain. "When," says Vattel, "a nation takes possession of a country that never yet belonged to another, it is considered as possessing there the empire or sovereignty at the same time as the domain, for since it is free and independent it can have no intention in *settling in a country to leave to others the right of command or any other that constitutes sovereignty.*"* Now it is a well establish-

* Vide Vattel's Law of Nations, Book 1, § 205.

ed principle of law, as well an axiom of common sense, that the conveyance or admission of the principal is a conveyance or admission of its accessories. Here the right of settlement is the principal, the right of sovereignty the accessory or incident. The Convention plainly acknowledges that Great Britain had the former right, the latter is, therefore, implied as a necessary inference. Had the parties to that Convention intended that this necessary inference should not be made, they would, most assuredly, have expressed their intention plainly in the Convention.

We have thus examined into the foundation of the title of Spain, upon the ground of the presumed acquiescence therein of Great Britain and the other powers of Europe; and we have shewn that Great Britain never recognized in any way, directly or indirectly, either before that treaty or by that treaty, the pretended sovereignty of Spain.

Mr. Buchanan has, as we have already observed, studiously avoided resting the Spanish claim of sovereignty upon her discoveries on the Oregon coast. "The discoveries which Spain made upon the coast were *not*," he informs us, "*made for the purpose of acquiring title.*" We regard this as an implied admission, on his part, that these discoveries *could* not be regarded as conferring on Spain the exclusive sovereignty over the territory. As, however, most of the advocates of the American pretensions have assumed that these discoveries form a good foundation for the Spanish claim, it becomes necessary to examine the validity of such foundation.

The question to be considered is, can mere discovery, that is, discovery not followed by actual occupation or possession, confer a title of exclusive sovereignty? We are aware that towards the close of the last century the Spaniards had one or two miserable settlements on Vancouver Island, these were, however, but mere mockeries of settlements, and having been abandoned almost immediately after their establishment, they may be regarded as if they never had existed. The title which we are now to consider rests then upon *mere* discovery. But we apprehend that *mere* discovery cannot give a title of sovereignty. It is a well established axiom of international law, that discovery, by itself, confers not an actual right of property, but a contingent right of possession, an inchoate or imperfect right, which, to be perfected, must be followed up by actual possession. Discovery gives the right of occupation, actual occupation the right of sovereignty. The language of Vattel, which has frequently been quoted, during this discussion, is clear and decisive upon this point. "The law of nations," says he, "only acknowledges the property and sovereignty of a nation over uninhabited countries, of which they shall *really* and in *fact take possession, in which they shall form settlements, and of which they shall make* ACTUAL USE." * These principles are not merely consistent with the dictates of justice and common sense, they are the principles acknowledged and acted upon by all civilized nations. The Dutch discovered Van Dieman's Land, but as they did not take any steps for settling it, England did so, and Australia has accordingly become a

* Vide Vattel's Law of Nations, Book 1, § 208.

Colony of Great Britain. England, by Captain Cook, discovered the Sandwich, the Friendly, and Society Isles, and indeed nearly the whole of the Islands in the Pacific Archipelago; yet England does not pretend that she has any exclusive claim to the Sovereignty of those Islands. Thus then, it appears clearly established, both in theory and practice, that discovery, by itself, can confer no title whatever to the sovereignty of a country.

We think that we have clearly shewn, that antecedent to the Nootka Convention, Spain did not possess exclusive sovereignty over the Oregon, either by reason of her discoveries, or of the alleged acquiescence of Great Britain in her claims. That the Nootka Convention, if it did not weaken, certainly did not strengthen, the claims of Spain; and, as between the period of the Nootka Convention and the Florida Treaty, Spain's title was not improved, the conclusion appears irresistible, that at the period of that Treaty, even if the Nootka Convention never had existed, Spain would not have possessed, and consequently could not have transferred to America, exclusive sovereignty over an acre of the Oregon territory!

The conduct of Spain for a long time previous to the Florida Treaty, clearly shews that she considered that her ancient claim to the sovereignty of Oregon, was utterly worthless.

"Had Spain," observes Mr. Packenham, "considered herself restored to the exclusive dominion over the unoccupied parts of the North American continent, it is not to be imagined that she would have passively submitted to see the contending claims of Great Britain and the United States to a portion of that Territory the subject of negotiation and formal diplomatic transactions between those two nations.

"It is, on the contrary, from her silence with respect to the continued occupation, by the British, of their settlements in the Columbia

territory, subsequently to the convention of 1814, and when as yet there had been no transfer of her rights, claims, or pretensions to the United States; and from her silence also while important negotiations respecting the Columbia territory, incompatible altogether with her ancient claim to exclusive dominion, were in progress between Great Britain and the United States, fairly to be inferred that Spain considered the stipulations of the Nootka Convention, and the principles therein laid down, to be still in force."

The conduct, finally, of America herself, previous to the Florida Treaty, showed also most plainly that she did not think that Spain was entitled to any exclusive sovereignty in the Oregon. Every act of American exploration, every act of American settlement in the Oregon, was a practical denial on their part, of the exclusive sovereignty of Spain. If Spain had exclusive dominion over Oregon, then the explorations of Lewis and Clarke, and the establishment at the mouth of the Columbia, must be considered as so many encroachments on the territorial rights of Spain.

"Besides," as the British Plenipotentiary argues, "how shall we reconcile this high estimation of the territorial rights of Spain, with the course observed by the United States in their diplomatic transactions with Great Britain, previously to the conclusion of the Florida treaty? The claim advanced for the restitution of Fort George,* under the first article of the Treaty of Ghent; the arrangement concluded for the joint occupation of the Oregon territory by Great Britain and the United States; and above all, the proposal actually made on the part of the United States, for the partition of the Oregon territory; all of which transactions took place in 1818, when, as yet, Spain had made no transfer or cession of her rights—appear to be as little reconcilable with any regard for those rights while still vested in Spain, as the claim founded on discovery, exploration, and settlement accomplished previously to the transfer of those rights to the United States.

* The name given to Astoria, after it had been formally taken possession of by the English, in December, 1813.

"Supposing the arrangement proposed in the year 1818, or any other arrangement for the partition of the Oregon territory, to have been concluded in those days, between Great Britain and this country, what would, in that case, have become of the exclusive rights of Spain?

"To appeal to the Florida treaty as conveying to the United States any exclusive rights, is to attach a character of encroachment and of violation of the rights of Spain, to every act to which the United States appeated in the negotiation of 1818, as giving them a claim to territory on the northwest coast."

In a word, then, this Spanish claim to the "exclusive sovereignty over the Oregon," is an obsolete, exploded claim, which never had any good foundation, which America, as well as England, had always denied, and which Spain herself had long before solemnly renounced. Let us, then, hear no more about the exclusive sovereignty of Spain, this phantom sovereignty, which the Americans have conjured up from some realm of shades, itself the shadow of a shade, which like the fabled Eurydice, evoked by Orpheus' lyre from Pluto's mansion, vanishes when we turn to view it.

I would not have dwelt so long upon the Spanish title, and the Nootka Sound Convention, but for the very great stress which Mr. Buchanan (in common with all the partisans of the American pretensions,) lays upon them, in his elaborate argument upon this question. It is impossible to read his official correspondence with Mr. Packenham, without being struck by the manner in which he persists in thrusting forward this Convention. He wishes to make it appear as the pivot upon which the whole question turns; he forces it upon us as the sole foundation of our claims, and then assures us of the rottenness of our foundation. He treats it as the Goliah

of the British side, and then he pretends to shew with how small a pebble our Goliah is overthrown. Now, we tell him, we fling that Convention to the winds; we have a right to it, but we need it not. We need it not as a foundation for our own title; we need it not for the purpose of invalidating the claims of Spain. With or without that Convention our claims are good; with or without that Convention, the Spanish claim, and consequently the American claim founded thereon, is bad.

We have thus disposed of the first branch of the Spanish-American title of the United States to the Oregon. We turn now to the consideration of the second, or the American, branch of that title. The purely American, or direct title of the States is, like the rival title of Great Britain, founded upon discovery, exploration and settlement. We might object at the outset to allowing the Americans to set up at the same time this title and the last. These two titles are, as Mr. Packenham has plainly proved, utterly incompatible and repugnant; they cannot exist together; in fact to maintain them both at the same time, is to maintain that Spain and America were at the same moment possessed of the same territory. The Americans are undoubtedly entitled to *a part* of Oregon, under the latter; not content with this, they seek to claim *the whole*, under the former. But in striving to grasp the shadowy sovereignty of Spain over the whole, they let fall the substantial sceptre which they had a right to wield, as sovereign of a part. For it must be remembered that Mr. Buchanan himself has never pretended to claim under this latter title the sovereignty of the whole territory. All that is claimed on the score of the discove-

ries, explorations and settlements of the Americans themselves is the valley drained by the waters of the Columbia. Granting, therefore, all that America pretends to claim under this head, Great Britain would still remain master of a large portion of the Oregon. The sovereignty, therefore, of the Columbia valley, and not that of the whole of Oregon, is now the matter in dispute. The Americans claim the whole valley, we assert that at best they can only claim a part of it.

It is clear that the Americans cannot impugn the validity of the British title, founded upon British discoveries, explorations and settlements in the Oregon, while they maintain the validity of the American title, founded upon American discoveries, explorations and settlements made there, at the same time.

If the States, before they became possessed of any of the rights of Spain, were justified in making discoveries and settlements in the Oregon, and in founding a title upon such discoveries and settlements, then assuredly Great Britain, even without the Nootka Convention, would be equally justified in making discoveries and settlements in that territory, and in founding a title thereon. If the title of the States be valid, that of England is valid "*a fortiori.*"

But the Americans in their negotiation with England, relative to the Oregon, in 1818, and consequently before the Florida Treaty, had assumed that their title to the Columbia valley was perfect. Besides, Mr. Buchanan expressly tells us that the American title to the Columbia existed antecedently to the Florida treaty, and *that it is wholly independent of the rights derived from*

Spain. We shall then consider this title on its own merits, as Mr. Buchanan himself does.

The title is founded on the following facts :—that Captain Gray, in May, 1792, sailed ten miles up the Columbia River. That thirteen years afterwards, Lewis and Clarke, two American citizens, crossed the Rocky Mountains, in the southern portion of the territory, and by means of one of the southern tributaries of the Columbia reached that river, which they followed to the Pacific. The only settlement on the American side is the much disputed Astoria. This, then, is the sum total, the mighty aggregate of discoveries, explorations, and settlements of the Americans, up to the well known treaty of conjoint occupation of the 20th October 1818· Nothing subsequent to that treaty can be taken into consideration as strengthening either the British title, or the American title, properly so called, it having been expressly stipulated in that Convention, which was renewed for an indefinite period, with the same provisions, on the 6th August 1827, "that the claims of the respective nations should not be effected by any thing done under that treaty." Now let us consider the discoveries, explorations, and setlements of Great Britain, up to the same period, the 20th Oct., 1818. At the first glance at the catalogue of British discoveries and settlements, we are struck with the remarkable contrast it presents to the American catalogue, which we have just given. If the latter be scanty and meagre, the former is numerous and redundant; where America has one name, Great Britain has ten. This is apparent at first sight, and when we come to examine more nearly these respective catalogues, when we weigh

the amount, extent, importance and nationality of the discoveries and settlements contained in each, the contrast becomes still more remarkable, and the advantage on the side of Great Britain still more apparent. To do justice to the Discoveries of Great Britain, I should go back to 1597, and remind you of the discoveries of the famous Drake, on this coast; I should dwell also upon the accurate and well authenticated voyages of Cook, in 1778. I shall, however, content myself with stating that to Captain Cook belongs the discovery of Nootka Sound, and of Cape Flattery, at the entrance of the Fuca Straits, and that Berkeley, a British Captain, first sailed through those Straits. Passing rapidly over these facts, as also over the voyages of Dixon, Duncan, and Meares, I shall come at once to the more recent voyages of Vancouver, in 1792, contemporaneous, consequently, with Gray's 10 mile sail up the Columbia River. Vancouver had been despatched by the British Government, in 1792, to witness the fulfilment, on the part of Spain, of the terms of the Nootka Convention, and to effect the survey of the north west coast. Having witnessed, therefore, the restitution to the British of the lands and buildings which the Spaniards had seized, he proceeded to execute the second object of his mission. From Nootka Sound, (on the western shore of the island now called after this voyager, Vancouver Island,) he sailed south, passed through the Straits of Fuca, which separate this island from the main land on the south, and having made an accurate survey of the coast, and inlets of the Straits, on both sides, he discovered a northern passage into the Pacific, by which he returned to Nootka, having thus completely circum-

navigated and explored the island which bears his name. Thus we have, as far as relates to Vancouver island, as Mr. Packenham justly observes, "as complete a case of discovery, exploration, and settlement, as can well be presented, giving to Great Britain the strongest possible claim to the possession of that Island." And yet a considerable part of this Island would be included in the American portion, according to the most favourable division which they proposed, (i.e.) the division of the territory by the parallel of 49°. The settlement alluded to in the above extract from Mr. Packenham is the settlement made by Meares in 1788, and which had been restored to Great Britain under the terms of the Nootka Convention. In addition, however, to this long list of British voyagers, in opposition to which, be it remarked, the Americans cannot cite the name of one single voyager in the same regions, we have to mention another, whose discoveries become peculiarly important, because they were made about the same time, and upon the same river, as those of the illustrious "ten mile" voyager, Captain Gray; we mean the discoveries and explorations of Broughton, one of Vancouver's officers. Vancouver, having heard from Gray that he had succeeded in entering the Columbia river, which Vancouver himself had attempted previously, but which, in consequence of the formidable breakers at its entrance, he had been unable to accomplish, hastens again to the Columbia; finding the entrance impracticable for his own vessel, he sends his Lieutenant, Broughton, in a smaller vessel to explore: Broughton succeeded in entering the river and explored it to a distance of one hundred miles from its mouth, and formally took possesion of the coun-

try, in the name of England. This exploration was made in October, 1792, Gray having entered the river in the preceding May. So much for the maritime discoveries of Great Britain. Now let us compare her discoveries in the interior, with those of America, (i. e.) with the explorations of Lewis and Clarke. First, then, in 1792, Sir Alexander McKenzie, a partner in the North West Company, crossed the ridge of the Rocky Mountains, and having discovered the head waters of a river, since called Frazer's river, he followed its channel to the Pacific Ocean. Immediately after his return *several trading posts* were established to the westward of the Rocky Mountains.

"In October, 1800, Mr. David Thompson, Astronomer to the North West Company, and at present a resident of this city, with six Canadians and four or five Indians, crossed the Rocky Mountain in latitude 51° north, and descended one of the great northern branches of the Columbia River, which he called M'Gilvray's River. He descended this River for a good distance, when he was driven back by a band of a powerful tribe of Indians, and compelled to re-cross the Rocky Mountains.

"In 1807 Mr. Thompson again crossed the Rocky Mountains, and established, at a very short distance from the source of the Columbia River, *a fortified trading post*, and there wintered two winters: the summer season he was employed in exploring the country, &c.

"In 1809 he established *a trading post* near the head of the Saleesh River, between latitudes 47° and 48° north, and wintered there. During these three years, *several trading posts* were established on different parts of the Columbia River, its branches, and lakes.

"In 1810 Mr. Thompson wintered on the Columbia River, near the foot of the Rocky Mountains, about 100 miles from its source, and spent the summer in exploring the country, &c.

"In 1811, having learned from the Indians that white people had settled near the sea coast, on the estuary of the Columbia River, in the fall of 1810, Mr. Thompson determined to go down and see who they were; and accordingly, he immediately went down the Columbia River

and arrived at the settlement in July, 1811, and found the celebrated Fort Astoria to consist of four or five low, rude log huts; and there, in front of them, *planted the British flag, which remained flying and undisturbed till he left.*

Thus showing that Mr. Thompson had established trading posts in the interior on the Columbia River, several of its branches and lakes, at least four years before the Astor Company.

"For six successive years Mr. Thompson employed himself in exploring and surveying the main Columbia River and all its great branches, and settling the positions of these places by numerous astronomical observations; therefore, the exact distance from the mouth of the Columbia River to any given point in the Oregon territory can be readily ascertained from his surveys and maps, the latter now in the possession of the Foreign Office, London." *

We shall return for a moment to the rival discoveries of Gray and Broughton. We have already seen, that, in point of extent and importance, Broughton has clearly the advantage. We shall now consider them with respect to their *nationality* and to the formalities attending them. What are the conditions which authorize a nation to found a title upon the discovery of an individual? Let Vattel answer. "When" says he, "navigators *going on voyages of discovery, furnished with a commission from their Sovereign*, meeting with Islands or other desert places, *have taken possession of them in the name of their nation*; this title has commonly been respected, *provided it is soon after followed up by a real possession.*"† In which case have these conditions been complied with? Gray was a private person, without any authority from his gov-

* The above extract, with reference to Mr. Thompson's explorations, &c., is taken from a 'Memorandum' recently published in various journals of this city. Many of the facts contained in it have not, as far as I am aware, appeared in any official document on the subject of the Oregon. They seem to me, however, very important and are undoubtedly well authenticated.

† Vattels Law of Nations, Book I, § 207.

ernment, sailing for the purposes of trade. Vancouver and Broughton were officers of the British Navy, sailing in vessels belonging to government, sent expressly by their government for the purposes of exploration and discovery of the north west coast, and clothed with an express commission for that purpose. Again, Gray made no attempt to take possession of the territory he discovered for the United States, whereas Vancouver took possession of the Columbia territory in the usual manner, in the name of his government. But lastly, and above all, the discovery of Gray, whatever may have been its original value, became valueless to the Americans, because it was not followed up within a reasonable time by any *real possession.* The sole advantage which Gray's discovery possesses over that of Vancouver and Broughton is that of priority, but the honour of priority of discovery, with whatever benefits flow from it, must be ceded by both parties to the Spanish discoverer Heceta. In a word, to close this comparison between the merits of the respective discoveries, whether maritime or inland, of Great Britain and the United States in these regions; the former were extensive, accurate, official, and clothed with all the formalities which usage and the law of nations prescribes, the latter were limited, inaccurate, unofficial, and devoid of any of the prescribed and customary formalities: and finally and chiefly, the former were followed up by actual settlement and occupation long before the latter.

Let us now examine, more fully, the respective settlements of the two nations, in this region. We have already seen that numerous trading posts (some of them fortified ones) had been established by the British North

West Company in the years 1805 and 1806, and between that period and 1811 on the Columbia itself and on its branches. All these trading posts were occupied by the British North West Company, and were in full operation in 1811, when Astoria was founded, and consequently the territorial rights arising from these several settlements or trading posts could not have been affected by the establishment at Astoria. "From the year 1811, till the year 1818," to quote Mr. Packenham's words, "when the arrangement for the joint occupancy of the territory was concluded, the North West Company continued to extend their operations throughout the Oregon territory, and *to occupy*, it may be said, as far as occupation can be effected in regions so inaccessible and destitute of resources."

The contrast between Great Britain and the States with reference to settlement (the ground of all others the most important) is then not less remarkable than with reference to discovery. On the side of Great Britain we have a steady, uninterrupted, constantly increasing and general occupation of the Oregon territory, together with the establishment of numerous and important trading posts, as well on the Columbia and its tributaries as elsewhere. On the side of America we have in lieu of all this, one miserable post at the mouth of the Columbia, founded partly by the British and partly by the Americans, which consisted of "four or five rude log huts," and which after being occupied for about two years, was sold to the English, and abandoned by the Americans.

The Americans attach great importance to the surrender of Astoria to the United States by Great Britain, after it had been captured by the British during the war

in 1813. We must say a few words on this head. Astoria had been regularly sold, by Mr. Astor's agent, to the British North West Company; it was, however, afterwards formally taken possession of by the British, during the American war, and ultimately (in accordance with the Treaty of Ghent) restored to the United States. The terms of that treaty are clear and imperative: "All places and possessions whatsoever, taken by either party during the war, (with certain exceptions therein specified) shall be restored without delay"; accordingly, in obedience to the letter of this treaty, Astoria, although it was then, and had been from the period of the sale, in the possession of the North-West Company, was delivered up in January, 1818, to the American Government. It was, however, expressly declared in the act of delivery, that the *settlement of Fort George* alone was restored. The Americans cannot, therefore, claim under this delivery one particle of the adjoining territory; besides, it is notorious that the delivery was made on the understanding that the British claims to the territory should not be affected by the surrender, those claims being at that very moment the subject of a negotiation with the United States, at London. But Great Britain can afford to be generous to the United States with reference to Astoria, she can afford to regard it as a national and American establishment, instead of what it really was, a private and three-fourths British concern. She can afford to suppose that it had never been sold or abandoned by the Americans. And when all these gratuitous concessions have been made, we ask, can an isolated establishment, like Astoria, by any possibility give a claim to the exclusive sovereignty of the

Columbia valley against a number of flourishing, constantly increasing, thoroughly British settlements, established not only in the Columbia valley, but in the neighbouring territory at a much earlier period? We think a liberal allowance of the territory on the southern bank of the Columbia River, on which this settlement was made, would be all that Astoria, regarded in the most favorable light, would be entitled to claim. And England has always offered to the States a much larger portion of the territory.*

I have thus examined the Spanish-American title to Oregon. I have endeavoured to establish that the Spanish branch of the title, *considered as a ground of exclusive sovereignty to the whole or any portion of the Oregon*, is utterly worthless : that it is moreover incompatible with the American title, properly so called: that the American title, or the title founded on the discoveries and settlement of the Americans themselves, is infinitely weaker than the British title of the same nature, and that it cannot, when considered even in the most advantageous manner, confer a right of sovereignty over that portion even of the territory which Great Britain has proposed to yield to the United States.

I had intended to have said a few words with reference to the claim put forward by Mr. Calhoun, on behalf of the United States, under the Louisiana treaty, concluded between France and the United States, in 1803. Mr. Packenham completely dissipated this claim ; and, indeed,

* An intelligent aud impartial American writer, in the January number of the *North American Review*, closes his examination of the American claims to the Columbia valley with these words:—" To the region thus drained. (*i. e.*, the Columbia valley,) the discovery of Gray, the expedition of Lewis and Clarke, and the settlement of Astoria, afford us (the people of the States) not the shadow of a title."

the strongest argument for its worthlessness, is found in the fact that Mr. Buchanan has not once alluded to it throughout the whole course of the discussion. It is therefore unnecessary to occupy our time with any examination of its merits.

In the course of the rather lengthened observations which I have made, I have borrowed very freely from the statements and arguments already before the public upon this important question, especially from those contained in Mr. Thom's able pamphlet, and in the masterly despatches of the British Plenipotentiary at Washington. I have done this because I have aimed at accuracy rather than originality; and should it be conceded that the statements I have made are correct, and that the arguments I have urged are sound, I shall be content to be told that the former are not novel, and the latter not original.

But here let us pause for a moment, to consider how deeply we are indebted to Mr. Polk for the "*spirit of liberal concession*" which has actuated him with reference to this question; how "clear," how "indisputable," are the so oft and so solemnly reiterated claims of the United States to the exclusive sovereignty of the whole of Oregon,—how irrefragable are the arguments by which they are maintained! Away with this solemn hypocrisy, this miserable cant. The truth is too clear to be concealed. The proposed occupation of the Oregon must be regarded, by all impartial persons, as a fresh proof, if any such were needed, of the rapacious policy, the insolent injustice, of the States. The all absorbing passion of the United States is an insatiable thirst for territorial acquisitions. In vain have their wisest men, their "Washing-

tons," their "Channings," and their "Websters," raised their voices to warn their countrymen of the ruinous consequences of this passion. To satisfy it they robbed the red man of his forests; they incorporated Florida and Louisiana without the consent of their inhabitants; and recently, in open defiance of the laws of nations, by means of a revolt which they themselves had caused, they wrested Texas from Mexico. Justice and morality, all laws, human and Divine, are despised and trampled on, when they would oppose or delay the gratification of this passion.

Are we secure from its effects, are we protected from its influence? Is their any thing peculiar in the position of Canada to prevent it from being absorbed into the United States, as so many other countries have been already? The spirit which has heretofore actuated the States, will it become extinct with the occupation of the Oregon? Assuredly not. Texas and Oregon are but the "beginning of the end." Each accession of territory serves but to extend for the States the horizon of their ambition; each acquisition is the parent of another. Nor is this policy any longer concealed; it is openly, unblushingly proclaimed by their Statesmen in Congress, before the face of all the world. Every day has some new project of annexation or occupation, or rather of spoliation and of robbery. Their cry is ever that of the covetous man in Horace:

"O si angulus ille,
Proximus accedat, qui nunc denormat agellum!"

To-day Texas and Oregon are coveted, to-morrow Yucatan, Mexico, and California; they already long for Canada, New Brunswick, and Nova Scotia; nay, they

desire war with Great Britain, because they think that in case of war, these possessions would become more speedily their prey. Their ex-President, Mr. Adams (thank Heaven, ex-Presidents are not prophets,) has declared in Congress, if there be a war, England will not retain one foot of land on the Continent of North America. Nay these British possessions have already been distributed: Canada and her sister Colonies have been parcelled out into six States, to be added to the north, in order to preserve the "balance of power," in the Union, and serve as a counterpoise to the recent accession to the Southern States. Such, it would seem, was the understanding upon which Texas was admitted into the Union. Oregon and the Canadas on the north, were to be set off against Texas and Mexico on the south. Has the world ever witnessed a spectacle of more astounding insolence and injustice? Nothing, it would seem, can arrest the mad career of this robber-nation, until one foot be planted upon the Isthmus of Panama, and the other upon the frozen regions of the North Pole. May we not then say, with truth, of the States, as Cassius did of Cæsar:

> "They do bestride the narrow world
> Like a collossus, and we petty men
> Walk under their huge legs, and seek about
> To find ourselves dishonorable graves."

Nor even then is their ambition appeased, one world, one continent, is not enough:

> "Unus illi non sufficit orbis,
> Æstuat infelix angusto limite mundi."

They spurn the petty limits of North America, and stretch out their arms, across the Ocean to grasp at Cuba also.

But we are told that nations have their destinies; destinies which they must fulfil; and that the destiny of the United States is to overspread the Continent of North America, and diffuse the blessings of civilization and Republican Institutions from the Atlantic to the Pacific, from Panama to the Pole! Such is the great national work which it is their "mission" to accomplish. Charge them with having robbed the Indian, they answer it was "destiny." Charge them with having plundered Texas, they urge it was "fate." Charge them with the design to appropriate the Canadas, they plead with "*honest*" Jack Falstaff "It is my vocation, shall not every man labor in his vocation?" And surely when we reflect upon the mighty national work committed to the States, we shall not be over nice to mark the means by which it is effected. Honor, justice, and humanity were never designed to impede the fulfilment of a nation's destiny, or to retard the progress of the civilization of mankind. We doubtless will hail with delight the "avatar" of these apostles of civilization in this benighted land. What a magnificent future opens up before us under such instructors? How rapid will be our advance in morality and justice, in all that can adorn and dignify a people? Liberty and equality will be taught us by task-masters and slave-dealers; morality and honesty by bankrupts and repudiators; Christianity and rational Religion by Millerites and Mormons; religious tolerance and Christian charity, by the persecutors of the Irish Roman Catholics, and the burners of Convents.

If we desire not these things, it behoves us to be up and doing; the enemy have at least warned us of our

danger, if we are unprepared to meet it, the fault will be our own.

Hitherto we have beheld with comparative indifference, the rapacity and injustice of the States. We could fold our arms, and look on calmly, while the Red Man of the woods was driven from his hunting and fishing grounds, and from the graves of his fathers, beyond the waters of the Mississippi and Missouri! We could, with marvellous philosophy, see Mexico despoiled of the fairest portion of her territory. Perchance the tear of sympathy has been shed at the recital of the sufferings of the "Red Man;" perchance a feeling of indignation has been aroused at the wrongs of Mexico. Sympathy must now be changed into resistance; indignation must give place to action. We ourselves are now the object of attack. Like mariners becalmed upon the ocean, we have some while been watching, in fancied security, the progress of a distant storm,—some vessels are seen on the far-off horizon; they cower before the coming tempest, they resist, they struggle against its fury; but in vain! One by one they sink beneath the waves! Meanwhile the remorseless gale sweeps on, and now, our own good ship, which lately lay so seemingly secure upon the tranquil deep, is exposed to the full fury of the storm! The danger which was theirs is ours; let us beware, lest their fate be ours also!

It is impossible to deny that the danger of war is great, and seems momently increasing. The war party, in the States, is distinguished no less by its numbers than by its recklessness. Should there be a war, how terrible a war will it be? A war, of which who can foretel the end?

Who can foresee the consequences? Who can measure the calamities? A war which would in all human probability kindle the flames of strife throughout the continent of Europe; a war, in which an untold amount of blood and treasure would be expended; a war which would hurl millions from affluence to poverty; reduce to ashes many a noble city, paralyze the commerce of the globe, and fill the old and the new world with desolation and with woe.

Above all, let the United States beware of such a war. Let them beware lest in their hour of direst need the red men of the West pour back from the Mississippi and Missouri to wreak on them a terrible revenge, for the gathered wrongs of years. Let them beware lest the negro of the South, bursting his bonds asunder, exact a bloody retribution for the sufferings of his race. The planters of Virginia and Kentucky know full well that beneath their feet there is a slumbering volcano, let them beware how they light its flames. God forbid that we should adopt the language of one of the Members of Congress, and say that we " we would laugh at their calamity and mock when their fear cometh." God forbid that any of us should wish to see a renewal of the horrors of St. Domingo! but let not the people of the States provoke their fate. Assuredly, they will not find a Mexico in Great Britain. Mexico threatened war, but did not make it; Great Britain may make war, but will not threaten it. Already she has done every thing that could be done for the preservation of peace, short of abandoning her just rights, and sacrificing her national honour. She has offered frequently to divide the territory liberally with her rival—her offers

have been spurned. She has proposed to submit the dispute to the arbitration of a third party—her proposal has been rejected. Throughout the entire controversy she has been, and, as long as it is possible, will continue the steady advocate of peace. If then, in spite of her efforts, war should come, as come it may, the future historian must record to the glory of Great Britain, that she made every exertion to avert the terrible calamity, and that, even while with one hand she reluctantly lifted up the gauntlet of defiance, she still, with the other, held out to her foes the olive branch of peace.

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