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THE OREGON QUESTION.

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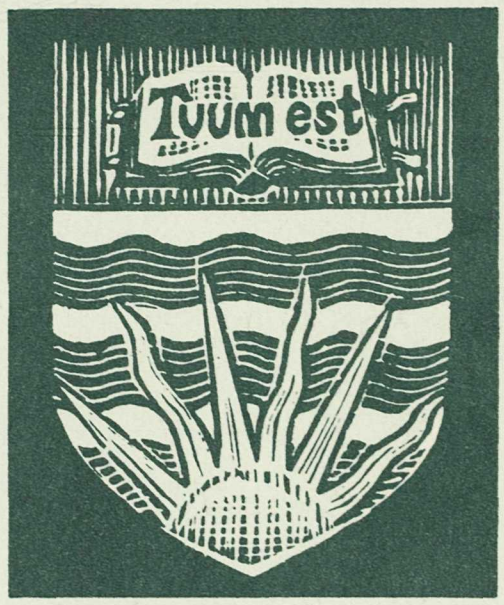

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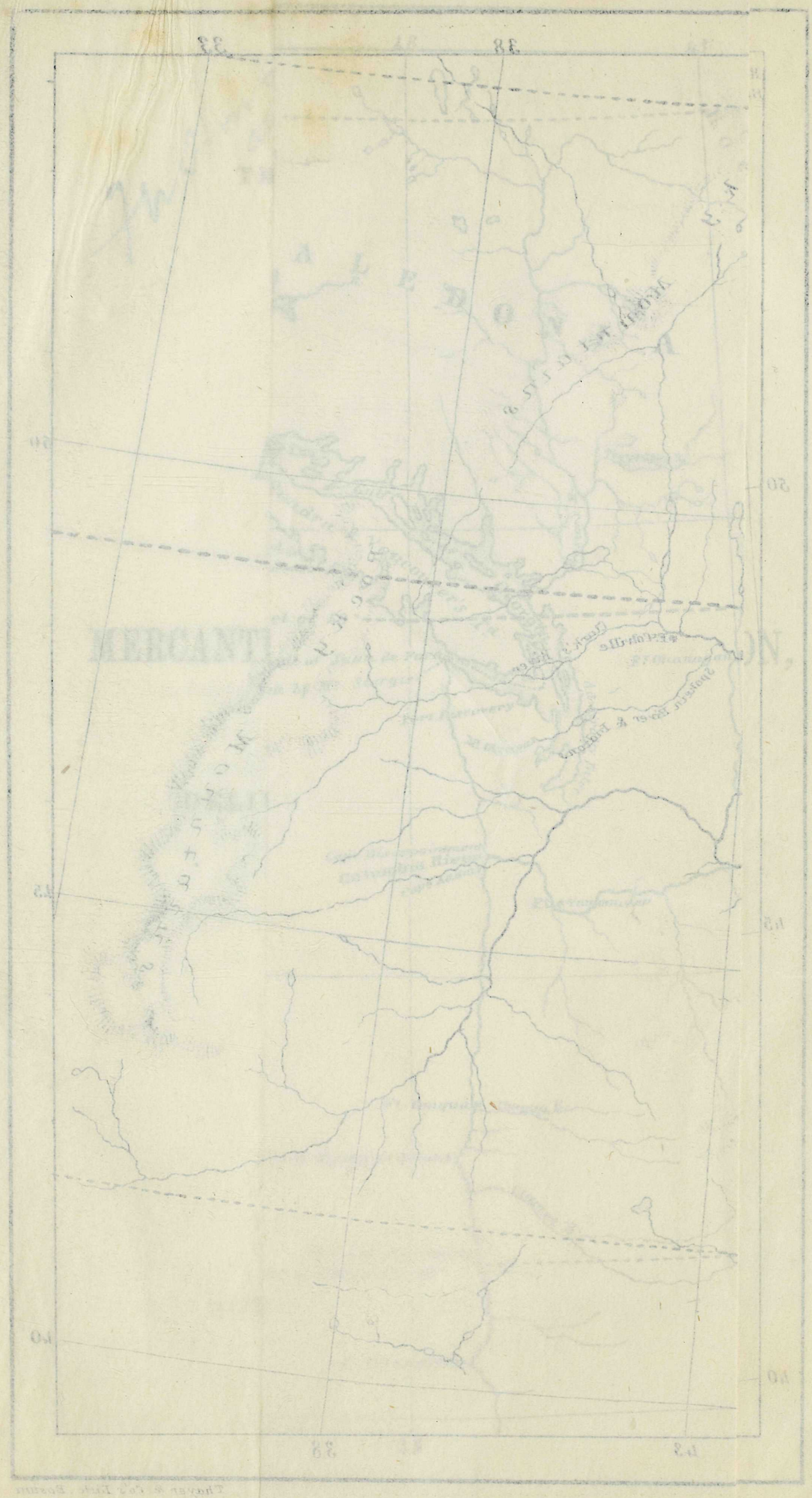

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Russian Boundary 54° 40'

Dixon's Entrance

NEW

Salmon R

Princess Royal Is.

Washington or Qn Charlottes Is

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Millbank Sd & Ft Mc Laughlin

Pintard or Qn Charlotte's Sd

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PACIFIC OCEAN

Nootka S

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THE OREGON QUESTION.

SUBSTANCE

OF

A LECTURE

BEFORE THE

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DELIVERED JANUARY 22, 1845,

BY WILLIAM STURGIS.

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1845.

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DEVONSHIRE STREET.

LECTURE.

Gentlemen of the Mercantile Library Association: —

I HAVE taken the "Territory of Oregon" for the subject of this evening's lecture. I propose to give you the material facts in relation to the conflicting claims to this territory, shewing their origin — the grounds upon which they are maintained — a summary of the principal arguments upon both sides — the negociations for their settlement — and the present state of the question. I shall take the liberty to add my own views relative to its final adjustment. It would be useless to attempt to conceal — what you will doubtless soon discover — that the subject is a very dry one, and will be treated in a very dry manner. It is however, at the present time, one of great importance; for there seems to be a determination, among some of those in power, to have immediate action upon it; and this action may go far to decide whether our present amicable relations with Great Britain are to be preserved.

Four powerful nations have put forth claims to this territory, viz: — Spain, Russia, Great Britain and

the United States. The claims of Spain have been transferred to this country. Those of Russia have been adjusted by ceding to her the exclusive right of settlement, within ten leagues of the sea, north of latitude 54° 40′; and the controversy for what remains is now between Great Britain and ourselves.

It is necessary, at the outset, to understand distinctly what is the question really at issue between Great Britain and the United States in regard to this territory. It is not a question of *positive*, but of *relative* rights. Not whether either party have *exclusive* territorial rights — for the steps that have already been taken, by mutual consent, amount clearly to an admission by each that the other has *some* rights — but it is the extent of these rights and the manner in which they shall be defined, that remain to be adjusted and settled.

It may be well, too, to have a clear understanding of what is meant by the expression "whole territory of Oregon," when used in common parlance, and to fix in your minds the position of certain prominent points that will be often referred to in course of my remarks.

The territory in dispute is the whole country West of the Rocky Mountains, lying between the latitudes of 42° and 54° 40′ North, and consequently bounded by the Rocky Mountains on the East, the Pacific Ocean on the West, the Northern limits of California in Lat. 42° on the South, and the Southern limits of the Russian possessions in America in Lat. 54° 40′ on the North — thus extending 760 miles from North to South, and averaging about 500 miles from East to West, and including some 360,000 square

miles. The mouth of the "Columbia River" lies a few miles North of the 46th parallel of latitude. In its course this river receives many tributary streams, both from the North and the South, and, about 300 miles from its mouth, is divided into two large branches, one tending towards the North-East, and the other South-East; the former extending nearly to the Northern limit of the Oregon Territory, at the base of the Rocky Mountains, and the other quite to its Southern boundary; thus draining nearly all the *interior* of the territory, and a considerable portion of it that lies nearer to the sea. The entrance to the "Strait of Juan de Fuca" is in Lat. 48° 30′, and it runs Northward and Eastward about 120 miles. "Nootka Sound" is in Lat. 49° 30′, on the South-Western side of Quadra and Vancouver's Island. If these facts are kept in mind, frequent repetition of them may be omitted.

Not to occupy more time than is necessary, I pass by those early voyages in the North Pacific, the accounts of which contain a mixture of truth and fiction, but must take you back to the latter part of the last century, at which time it is admitted that Spanish navigators discovered, and anchored in, Nootka Sound, and explored the coast from California to the present Russian boundary, prior to the Northern Voyage of the celebrated British navigator, Captain Cook, and before the navigators of any other nation had visited these shores. It was upon this fact, and the contiguity of territory, that Spain then founded her claim to the exclusive possession of all the American coast, from her settlements in California to the

Russian boundary, which at that time was several degrees North and West of the line now established.

Captain Cook discovered and anchored in Nootka Sound in 1778, and gave it the name of "King George's Sound," (which he afterwards changed to "Nootka,") not then knowing that the Spanish commander, Perez, had anchored there four years before, and called it "Port San Lorenzo." Cook likewise saw, and gave names to, several prominent points upon the coast, but did not anchor in any other place South of the present Russian boundary. All these points, however, had been previously seen, and named, by the Spaniards; so that the British gained no title to any part of this coast, by priority of discovery, from the voyage of Captain Cook. The policy of Spain, at that period, did not permit the discoveries of her navigators to be made public, and Great Britain had therefore *apparent* ground for claiming (as she did claim) the discovery of Nootka Sound for Captain Cook; and the events which followed, occasioned in part by this alledged discovery, brought about the arrangement between Great Britain and Spain, of which I proceed to give an account.

Immediately after the publication of Cook's Voyage, which was delayed till the beginning of 1785, Nootka Sound became the common resort of vessels of different nations, engaged in the fur trade. In 1788, a Mr. Mears, an Englishman, who commanded a trading vessel from Macao, alledged to belong to British subjects though under Portuguese colors, built a small vessel at "Friendly Cove," a snug harbor within the Sound; and the residence, in a hut on shore, of the

persons employed in building this vessel, was the foundation of the British claim to a settlement prior to that made by the Spaniards, on the same spot, the following year. In May 1789, two public Spanish ships, under command of Don Esteban Martinez, arrived in Friendly Cove and immediately took formal possession of the whole surrounding country as Spanish territory. Shortly after, Martinez captured two of Mears' vessels for alledged infraction of the Colonial laws of Spain. Mears immediately appealed to the British Government, and his exaggerated statement caused great excitement in Europe; and these proceedings gave rise to the famous "Nootka question," as it was then called, that in 1790 came very near involving Europe in war, for which great preparations, at an immense expense, were made both by Great Britain and Spain. War, however, was averted by a convention made in October 1790, by which Spain agreed to compensate Mears, who received $210,000, though the actual damage he sustained would have been amply compensated by a tenth part of that sum. But the most important feature of this convention, at the present time, is one of the provisions of the 3d Article, upon which Great Britain now relies as one of the strong points in support of her claim to equal rights with the United States in the "Oregon Territory." In this 3d Article "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.*" I must ask your particular attention to this stipulation, as Great Britain relies upon it for resisting our claim to the exclusive possession of any portion of Oregon as derived from Spain; and it should be remembered that at this period we had no claim whatever to any territory West of the Rocky Mountains, but subsequently obtained all that Spain was then entitled to. In May 1792, Captain Robert Gray, in the ship Columbia of Boston, discovered and entered a great river, near the Lat. of 46° North, up which he proceeded about 20 miles, and to which he gave the name of his ship, calling it "Columbia River," a name that is generally still retained, and which ought, and I trust will be retained, though attempts have been made to change it to "Oregon River." *We* certainly ought to retain a name that tends to confirm the fact of its discovery by one of our own citizens — a fact that has been denied by some British diplomatists. Vancouver, a distinguished British navigator, who was engaged in surveying the Northwest coast of America at the time the river was discovered by Gray, designates it, upon his chart of the coast, "Columbia River;" thereby doing justice to Gray, and admitting his claim to the discovery.

Captain Gray, in the summer of 1791, discovered what he then conjectured to be the mouth of a river; but no certain discovery had been made, and no vessel had ever entered the river prior to the entry of the Columbia in 1792; *and this is one ground of our present claim to the territory.* The discovery of Captain Gray excited little attention in this country for some

years after it was made, because, as I have before remarked, we had then no claim to any territory West of the Rocky Mountains. In 1803 we acquired Louisiana, the Northwestern boundary of which had never been clearly defined, and we maintained that it extended in that direction to the shores of the Pacific. At the suggestion of Mr. Jefferson, then President of the United States, Congress authorised him to send out suitable persons to explore the country to the Pacific; and in May 1804, Lewis and Clark started upon their well known expedition across the Continent.

In October 1805, after crossing the Rocky Mountains, they came to one of the upper branches of the "Columbia," upon which they embarked in canoes and reached the Pacific Ocean in course of the following month. They remained at the mouth of the Columbia during the winter of 1805-6, and re-crossing the Continent, arrived in the United States in September 1806. *This was the first exploration of any branch of the "Columbia" from the interior to the ocean, and is one of the grounds upon which we rest our claim.* In 1806, Simon Frazer, a member of the British Northwest Company, crossed the Rocky Mountains several degrees North of Lewis and Clarke's route, and made their first establishment westward of that range, about the Lat. 54°; but there is no evidence that any British subject was upon either branch of the Columbia previous to 1811, in which year a Mr. Thompson, in the service of the British Northwest Company, came down to the mouth of that river and found it in possession of American citizens, who had recently arrived

Thompson from 1807 to 1811. See Coues Ed. Henry Thompson Journals.

there from the United States, to establish a settlement. This settlement was projected by John J. Astor of New York, who in 1810 fitted out the ship Tonquin, for the purpose of founding it. I had a good deal of correspondence upon this subject at that time with Mr. Astor, who offered me an interest in the concern, and invited me to take command of the expedition by sea, which I declined. The ship arrived at the mouth of the Columbia in March 1811, and founded the first settlement made by civilized people upon the Columbia River; *and this is another ground of our present claim.* The undertaking proved highly disastrous, and it was fortunate for me that I did not accept the proposal of Mr. Astor; for although my experience might have averted one great misfortune, yet the want of success was mainly owing to causes that could not have been foreseen or guarded against. The particulars of this ill-fated expedition may be found in Washington Irving's "Astoria;" and as his magical pen imparts a deep interest to every subject that it touches, those of you who have not read the work cannot fail to be highly gratified by its perusal. The particular misfortune to which I allude as one that might have been avoided, was the destruction of the ship Tonquin and all her crew. She was commanded by Mr. Thorne, who was or had been, I believe, an officer in the Navy, but wholly unacquainted with the Northwest Coast or with the Indian character. At the request of Mr. Astor I engaged for him, to go as chief mate of the ship, a young man belonging to Roxbury, who had previously been several times upon the coast; but he was unfortunately lost, with a boat's crew,

upon the bar at the entrance of the "Columbia," upon the first arrival of the ship. After landing her passengers and part of her cargo at the mouth of the river, the Tonquin proceeded to visit the Northern ports for the purpose of trading with the Indians, and was shortly afterwards cut off, and the whole crew massacred by the natives at Clayoquot, near Nootka Sound.

Soon after the departure of the Tonquin from New York, Mr. Astor despatched another party over land for the Columbia, under the command of Mr. Wilson P. Hunt; the survivors of which, after suffering almost incredible hardships, reached "Astoria" (for so the establishment at the mouth of the Columbia was called) in the spring of 1812. Early in 1813, the party at Astoria received news of the war between the United States and Great Britain, and in December of that year the British Sloop-of-war Racoon arrived at the mouth of the Columbia and captured the fort and settlement. A few weeks previous to this occurrence, and in apprehension of it, those in charge of the establishment had sold their whole stock of furs and merchandise to the agents of the British Northwest Company for the sum of $40,000, and taken payment in bills upon Montreal; so that Captain Black, of the Racoon, got only the empty honor of capturing a defenceless and unresisting fort. The gallant captain was greatly incensed at the loss of his expected booty, and is said to have exclaimed — with some coarseness of expression — that "it was a —— Yankee trick!"

The first article of the Treaty of Peace between the United States and Great Britain, concluded at

Ghent in December 1814, stipulated "that all territory, places and possessions whatsoever, taken by either party from the other during or after the war, except certain Islands in the Atlantic claimed by both, should be restored without delay." Under this stipulation "Astoria," the port at the mouth of the Columbia, was, in due form, delivered by the British authorities to Mr. Prevost, the agent of the United States appointed to receive it. The act of delivery is as follows: —

"In obedience to the commands of his Royal Highness the Prince Regent, signified in a despatch from the Right Honorable the Earl Bathurst, addressed to the partners or agents of the Northwest Company, bearing date the 27th of January, 1818, and in obedience to a subsequent order, dated the 26th of July, from W. H. Sheriff Esq., Captain of his Majesty's Ship Andromache, we, the undersigned, do, in conformity to the 1st Article of the Treaty of Ghent, restore to the Government of the United States, through its agent, J. B. Prevost Esq., the settlement of Fort George, on the Columbia River. — Given under our hands, in triplicate, at Fort George, (Columbia River) this 6th day of October, 1818.

F. Hickey, *Capt. of H. M. Ship Blossom.*
J. Keith, *of the Northwest Company.*"

To which Mr. Prevost, returned this acceptance: —

"I do hereby acknowledge to have this day received, in behalf of the Government of the United States, the possession of the settlement designated

above, in conformity to the 1st Article of the Treaty of Ghent. — Given under my hand, in triplicate, at Fort George, (Columbia River) this 6th of October, 1818.

J. B. PREVOST, *Agent for the United States.*"

In this transfer the place is designated as "Fort George," that being the name bestowed upon it by Captain Black of the Racoon, at the time of striking the American and hoisting the British flag. *This unconditional restoration of Astoria is another circumstance urged in support of our claim.*

Franchère p. 201.

The first attempt to settle, by negociation, the boundary between territory claimed by the British and the United States, West of the Rocky Mountains, was made at London, in 1818, by Messrs. Rush and Gallatin, Commissioners on the part of the United States, and Messrs. Goulburn and Robinson, on the part of Great Britain. These Commissioners agreed in taking the parallel of 49° as the boundary line from the Lake of the Woods to the Rocky Mountains, as it now stands, and a proposition was made by Messrs. Rush and Gallatin to continue the same to the Pacific Ocean, as between the contracting parties, with a reservation as to the rights of other claimants, having reference doubtless to the claims of Spain and Russia, at that time. This was declined by the British Commissioners, and the negotiation, upon this point, ended in the following stipulation, which is the 3d Article of the Convention of 1818.

"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 harbors, 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 among themselves."

In 1819, the "Florida Treaty," as it is usually called, was concluded between Spain and the United States; by the 3d Article of which Spain cedes to the United States all rights, claims, and pretensions to any territory upon the Western Coast of America north of Lat. 42°; *and this cession forms another ground of our claim to the Oregon Territory.* By a Convention between the United States and Russia, signed at St. Petersburg in 1824, the Lat. of 54° 40′ was agreed upon as the boundary, (controlling the right of making settlements,) between territory claimed by the contracting parties upon the Northwest Coast of the American Continent. We having succeeded to all the rights of Spain, and the claims of Russia being adjusted, the claimants — as before remarked — to territory west of the Rocky Mountains, lying between the parallels of 42° and 54° 40′, were reduced to two, viz.: the United States and Great Britain.

Prior to the Convention with Russia in 1824, a proposition was made by the American envoys at London and St. Petersburg, for a joint Convention to settle the claims of the three Powers — Russia, Great Britain, and the United States — to territory West of the Rocky Mountains; but the proposition was declined by Great Britain and Russia; each preferring to negociate with us and each other separately. In 1824 another attempt at negotiation upon this subject was made at London, by Mr. Rush in behalf of the United States, and Messrs. Huskisson and Stratford Canning on the part of Great Britain, which failed. There is reason to believe that this failure may be ascribed in part to the dissatisfaction manifested in Europe at the extraordinary declaration made by President Monroe, in his annual message to Congress in December 1823, "that henceforth the American Continents are not to be considered as subjects for colonization by any European Power" — a declaration, perhaps, at that time, savoring more of patriotism than of wisdom. Near the close of 1826 negociations were again commenced at London between Mr. Gallatin, on the part of the United States, and Messrs. Huskisson and Addington on the part of Great Britain, which continued till August 1827, without effecting a settlement of the question, but resulted in an agreement to continue the 3d Article of the Convention of 1818 for an indefinite time; either party, however, being at liberty to abrogate and annul it by giving twelve months notice to the other party at any time after 20th October 1828, when the Convention of

1818 would expire by its own limitation. And this is the present state of the question.

In all these negotiations our Commissioners have uniformly proposed the parallel of 49° to the shores of the Pacific Ocean, as the boundary between the territories of Great Britain and the United States, West of the Rocky Mountains. The British Commissioners offered to take this boundary across these mountains, and West of them until it intersected the upper branch of the Columbia, thence to continue the boundary line along the middle of this branch to the main stream, and down that to the Pacific Ocean; the United States to possess all South and East and Great Britain all North and West of it, — the navigation of the river to remain open and free to both parties. The American Commissioners declined yielding to Great Britain *any territory* South of 49°, but Mr. Gallatin, in 1826, proposed "that if the said line (the parallel of 49°) should cross any of the branches of the Columbia at points from which they are navigable by boats to the main stream, the navigation of such branches, and of the main stream, should be perpetually free and common to the people of both nations." This proposition was rejected by the British; but they expressed their willingness to yield to the United States the whole territory lying North of the Columbia as far as the Straits of Juan de Fuca, and East from the Pacific to Admiralty Inlet. The British, however, have uniformly insisted upon the joint occupancy and free navigation of the Columbia, from its mouth to the point of intersection of the forty-ninth degree of latitude; and upon this point the negotiation has hitherto failed. It will

be perceived, that throughout these negotiations, we have claimed the *exclusive* possession South of 49°, — offering to Great Britain, *conditionally*, the right to navigate a part of the Columbia within that limit. Great Britain on the contrary disclaims any pretensions to *exclusive* sovereignty over any portion of the territory between 49° and 42°, but insists upon a right of joint occupancy and of making settlements in any part of it not already occupied; a right admitted by Spain in the Convention of 1790, and at present secured to her by the 3d Article of the Convention of 1818, and one which she has already exercised to a considerable extent. A part of these claims she has been willing to relinquish, and we have insisted upon her relinquishing the whole; and thus the matter stands.

The grounds of our claim are thus summed up by Mr. Greenhow, from whose very able Memoir, prepared for the use of Congress in 1840, I have taken some facts: — "the first discovery and entrance into the Columbia, by Captain Gray, in 1792 — the first exploration from its source to its mouth by Lewis and Clark in 1805 — the first settlement upon any portion of its borders made by Mr. Astor's party at Astoria in 1811 — the unconditional restoration of this post, which was captured by Great Britain during the war, and restored under the 1st Article of the Treaty of Ghent, thereby virtually recognizing the territorial right of the United States — the acquisition by the United States, under the Florida treaty, in 1819, of all the titles of Spain, which titles were derived from the discovery and exploration of the regions in ques-

tion, by Spanish navigators, before they had been seen by the people of any other civilized nation — and, lastly, upon the ground of *contiguity* — we already possessing the territory up to its Eastern boundary."

Great Britain resists our claims, and maintains her own, by denying the discovery of the mouth of the Columbia to Captain Gray in 1792, and claiming it for one of her own navigators, Mr. Mears, in 1788, four years before the alledged discovery of Gray.* She asserts, too, that some of her subjects, then in the service of the British Northwest Company, explored a part of this river, and formed establishments upon its borders, *about the same time* that similar acts were done by citizens of the United States. She insists that the restoration of "Astoria," even if made without reservation, which is denied, amounts only to an admission of our co-ordinate right to make, and retain, settlements within the limits of the disputed territory; a right which she has never questioned. She admits

* Heceta, a Spanish navigator, sailing along the coast in 1775, discovered, about the parallel of 46°, a bluff head-land, or promontory, to which he gave the name of Cape St. Roc, or Roque, and immediately South of it an opening, which he *conjectured* to be the entrance of a River, and called it the "River St. Roc." It is, to say the least, extraordinary that any one should claim the discovery of the "Columbia," or any other River in its neighborhood, for Mears, after reading his own journal of his Voyage, published in London in 1791. From this journal it appears that Mears coasted along the shore, from Lat. 48° to Lat. 45°, in the hope of finding the opening seen by Heceta. In Lat. 46°, 10° he discovered the Cape, and south of it the *supposed* entrance to a River, and after a careful examination decided that "no such River as that of St. Roc exists, as laid down in the Spanish charts." He called the "supposed opening" "Deception Bay," and the head-land, "Cape Disappointment," a name that it bears to the present day, and one that clearly indicates the result of Mears's attempts at discovery.

that the 3d Article of the "Florida Treaty" vests in the United States all the rights which belonged to Spain at the time this treaty was made, but maintains that equal participation in all these rights had been secured to Great Britain by the 3d Article of the Convention of 1790, commonly called the "Nootka Convention." The Government of the United States aver that the stipulations in this 3d Article were abrogated by the declaration of war by Spain against Great Britain in 1796. The British deny that such was the effect of the war, but assert, that, even if it were so, the treaty of peace between Spain and Great Britain in 1814 virtually renewed or revived those stipulations, and insist that they are now in full force. In course of the negociation in 1826, Messrs. Huskisson and Addington presented the following summary of the pretensions of Great Britain. — "Great Britain claims no exclusive sovereignty over any portion of the territory on the Pacific between the 42d and the 49th parallels of latitude; 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;* and her pretensions tend to the mere maintenance of her own rights, in resistance to the exclusive character of the pretensions of the United States."

"The rights of Great Britain are recorded and defined in the Convention of 1790; they embrace the right to navigate the waters of those countries, to settle in and over any part of them, and to trade with the inhabitants and occupiers of the same. These rights have been peaceably exercised ever since the

date of that Convention; that is, for a period of nearly forty years. Under that Convention valuable British interests have grown up in those countries. It is admitted that the United States possess the same rights, although they have been exercised by them only in a single instance, and have not, since the year 1813, been exercised at all; but beyond those rights, they possess none."

"In the interior of the territory in question, the subjects of Great Britain have had, for many years, numerous settlements and trading-posts; several of these posts are on the tributary streams of the Columbia; several upon the Columbia itself; some to the northward and others to the southward of that river; and they navigate the Columbia as the sole channel for the conveyance of their produce to the British stations nearest the sea, and for the shipment of it from thence to Great Britain. It is also by the Columbia and its tributary streams that these posts and settlements received their annual supplies from Great Britain."

"To the interests and establishments which British industry and enterprise have created, Great Britain owes protection; that protection will be given, both as regards settlement and freedom of trade and navigation, with every attention not to infringe the coordinate rights of the United States; it being the desire of the British Government, *so long as the joint occupancy continues*, to regulate its own obligations by the same rules which govern the obligations of every other occupying party."

Some of the objections made by the British Com-

missioners to our claims to the *exclusive* possession of the whole territory cannot be easily and satisfactorily answered, and some of their objections are unfounded or frivolous, the mere skirmishing of diplomacy, and unworthy of high-minded diplomatists; but it must, I think, be evident to any one who looks carefully and impartially into the whole matter, that *some* of the pretensions of each party are, to say the least, plausible; and that according to the rules established among civilized nations in similar cases, each has some rights which should be adjusted and settled by compromise and mutual concession. How ought this question to be settled, and how is it likely to be settled? To answer these inquiries understandingly it is necessary to look at the objects which the respective parties probably have in view by the acquisition of territory west of the Rocky Mountains. It seems to me apparent that Great Britain wants it only as an extended field of action for her great hunting and fur-trading corporation, the "Hudson Bay Company." Thus far, with one exception, perhaps, she has made no other use of any portion of this vast region, in which her movements have been unrestricted for nearly fifty years; and Messrs. Huskisson and Addington, the British Commissioners, speak of the importance of the free navigation of the Columbia River only with reference to the establishments of the Hudson Bay Company. In fact, by existing laws of Great Britain, British subjects, except servants of this Company, are virtually excluded from the whole territory.

Since the last negociation in 1827, it has become evident that the country South of 49° is much less

valuable for the purpose of procuring furs than it was supposed to be at that time. The fur-bearing animals are not so abundant as they are further North, and the employment of procuring furs — unlike most other pursuits — being a work of destruction rather than of production, its success destroys its permanency; and this result has already, to some extent, been realised by the Hudson Bay Company. The importance and value of the fur business West of the Rocky Mountains and South of 49° is greatly overrated. Mr. Wyeth, a gentleman of intelligence who now resides in the neighboring town of Cambridge, has, since 1832, led two parties, at different times, across the Rocky Mountains — and resided West of them for several years. His character, and his thorough knowledge of the subject, inspire full confidence in his statements; and he is of the opinion that the nett profits realized by the Hudson Bay Company, from their collection of furs within the before-named limits, did not, in 1836, exceed the sum of $10,000. And it seems highly probable that the British Government, wanting the country mainly for its furs, would be more willing to yield the portion of it lying South of 49° at the present time than they were in 1827.

Our Government, on the contrary, seek the acquisition of the region West of the Rocky Mountains as an extension of the territory of the United States, to be used hereafter in the same manner as any other portion of our territory — for the formation of new States; and for this purpose the country South of the 49th parallel of latitude is most conveniently situated. Being the portion best adapted to agricultural and

manufacturing purposes, it might be reasonably expected that we should be content with this division; but I am not quite sure that our Government will so readily accede to it.

The people of this country are both covetous and ambitious in regard to territory. They covet and are ready to grasp at all that lies upon their borders, and are ambitious of extending their empire from sea to sea — from the shores of the Atlantic to the borders of the Pacific. I do not participate in this feeling, and have little sympathy with those who cherish it. Settlements scattered over a vast extent of territory — very likely to be badly governed in time of peace, and certain to present remote and exposed points to be defended in time of war — will not, in my belief, add to the power or promote the prosperity of the United States. The true policy of the country is tersely and forcibly expressed by that veteran statesman, Andrew Jackson, in a letter to President Monroe: "Concentrate our population, confine our frontier to proper limits, until our country, to those limits, is filled with a dense population. It is the denseness of our population that gives strength and security to our frontier."

There can be little doubt that the country in question will be settled at no distant day — probably by the Anglo-Saxon race — and we may find it expedient for a time to extend over a portion of these settlers our protection and our laws; but he must have a greater share of credulity than has fallen to my lot, who can believe that such population, when it shall have become able to govern and protect itself, will submit to be governed by others, and

look to the shores of the Atlantic — some two or three thousand miles distant — for their laws and regulations. The Rocky Mountains, and the dreary deserts on either side, form a natural barrier between different nations, rather than a connecting link between parts of the same nation; and I care not how soon they form the boundary between the United States, *as they now are*, and an independent nation, comprising the *whole* of what is now called the "Territory of Oregon." Such were the views of Mr. Jefferson, and whatever some may think of him as a *politician*, few are now disposed to deny that he was a sagacious and far-sighted *statesman*. Writing to Mr. Astor, respecting his undertaking, he says, "I considered as a great public acquisition the commencement of a settlement on that point of the Western coast of America, and looked forward with gratification to the time when its descendants should have spread themselves through the whole length of that coast, covering it with free and independent Americans, *unconnected with us but by the ties of blood and interest*, and enjoying like us the rights of self-government."

I will add, as my own views, that rather than have new States formed beyond the Rocky Mountains, to be added to our present Union, it would be a lesser evil, so far as that Union is concerned, if the unoccupied portion of the Oregon Territory should sink into Symmes's Hole, leaving the western base of those Mountains and the borders of the Pacific Ocean one and the same. But as this consummation — however devoutly it may be wished — can hardly be expected, I deem it very desirable that the question of boundary

should be speedily adjusted, and that the limits and the rights of each party be so clearly established and defined as to prevent all danger of collision hereafter. In this opinion I doubt not that the distinguished statesmen, Messrs. Packenham and Calhoun, who now have charge of the negociation, will cordially concur; and it seems to me that each party will attain their object, and justice be done to both, by adopting as the boundary a continuation of the parallel of 49° across the Rocky Mountains, to tide-water, say to the middle of the "Gulf of Georgia;" thence by the northernmost navigable passage (not north of 49°) to the Straits of Juan de Fuca, and down the middle of these Straits to the Pacific Ocean; the navigation of the Gulf of Georgia and the Straits of Juan de Fuca to be forever free to both parties — all the islands and other territory lying South and East of this line to belong to the United States, and all North and West to Great Britain. By this arrangement we should yield to Great Britain the portion of Quadra and Vancouver's Island that lies South of Latitude 49°, which, in a territorial point of view, is of too little importance to deserve a moment's consideration; and both parties would secure, for a considerable extent, a well-defined natural boundary, about which there could hereafter be no doubt or dispute. Will Great Britain accede to this? I think she will. Up to the close of the last negotiation, in 1827, the free navigation of the Columbia was declared to be indispensable to Great Britain, by the British Commissioners; but subsequent developments will probably render the British less pertinacious upon this point. The "summary" presented by the Commissioners in 1827, shows that the

Columbia was then supposed to be the most convenient — in fact the only — navigable channel of communication between the Ocean and most of the numerous establishments of the Hudson Bay Company, West of the Rocky Mountains. Within a few years past, however, several rivers, of considerable magnitude, have been explored from the interior to the seas into which they empty, North of Latitude 49°. These are "Frazer's River," which disembogues about that parallel — the river called by Harmon the "Nachaottatain," in about the Latitude 53° — "Simpson's River," a little North of Latitude 55° — and "Stickene River," in 56° 50′. All these would be within the British territory, or are so situated that the British, by their Convention with Russia, would have the right of navigating them; and they would afford convenient communication with most of their establishments North of 49°; and if this adjustment should be made they would retain none South of that line. I should be reluctant to cede to Great Britain the free navigation of the Columbia, for there are serious objections to giving to any nation the unlimited right of using a narrow stream where it flows wholly through the territories of another. For obvious reasons, the exercise of such a right must endanger the harmony and peace of the parties; and, especially, at such a remote point, would be a fruitful cause of jealousy, and very likely to occasion collision. But Great Britain will not relinquish the right to the free navigation and use of the Straits of Juan de Fuca if she retains the territory North of 49°. The use of these Straits would, in fact, be indispensable to her, for through them is the only convenient access to a

considerable portion of this territory. The Strait of Juan de Fuca is about three leagues wide at its entrance, within which the width increases. Near its head are numerous islands, and some of the finest harbors in the world. "Admiralty Inlet" branches off to the South, and runs towards the main stream of the Columbia to the Latitude of 47°, and all these islands, harbors and inlets would be within our limits. This Strait, with all its branches, being easy of access, safe, and navigable at all seasons and in any weather, while the mouth of the Columbia is at all times dangerous to enter, and for a considerable part of the year almost inaccessible, I cannot but think that the Strait will ultimately be the great channel through which will pass most of the products of the whole region drained by the Columbia and its branches — both that part of it which would fall to us in the proposed division, and a considerable portion of that which would fall to Great Britain, lying North of 49°.

Very different and conflicting representations have been made by different writers in regard to the general aspect of the whole territory, and its adaptation to agricultural purposes: some have described it as a perfect paradise, while by others it has been represented as wild and sterile. According to my observation both have exaggerated. Those who have painted its beauty in glowing colors probably looked at it in contrast with the dreary regions they had passed through in reaching it, while others may not have made sufficient allowance for the repulsive appearance which a large portion of an uncultivated country, in a high latitude, usually presents. A Memoir, prepared by Mr. Wyeth, a few years since, at the request of

a committee of Congress, contains the clearest and most impartial representation of the appearance and capabilities of the country that I have met with. South of the parallel of 49°, near the borders of Admiralty Inlet and Puget's Sound, and in the valley of the Wallammette, or Multnomah River, which empties into the Columbia, and upon the banks of which the principal settlements of emigrants from the United States have been made, and in some other places, the appearance of the country is attractive, the soil good, and well adapted to agricultural purposes; and so likewise is the eastern side of Queen Charlotte's Islands, and some other places North of 49°. But I have neither seen nor heard of lands in any part of this territory that are superior to the millions upon millions of uncultivated acres within the limits of the United States, on this side the Rocky Mountains; and I doubt if those who are dissatisfied with the state of things eastward of these mountains, will find their condition much improved by emigration to the Oregon Territory. They will find — as emigrants to a new and unsettled country have too often found — that "'Tis distance lends enchantment to the view."

The climate, however, is altogether milder, and the winter less severe than in corresponding latitudes on this side the Continent, and more nearly resembles the climate of Europe. As proof of its mildness I may mention that I have passed seven winters between the latitudes of 51° and 57°, frequently lying so near the shore as to have a small cable fast to the trees upon it, and only once was my ship surrounded by ice sufficiently firm to bear the weight of a man.

I have thus endeavored to give you the material

facts in relation to our claim to territory West of the Rocky Mountains, and to the present state of the dispute with Great Britain in relation to it. There is evidently a lamentable ignorance upon the subject, both among those who call loudly for action and those whose position gives them the power to act; and it seems to me that many, both in and out of Congress, who are most clamorous for taking immediate possession of the "whole Territory of Oregon," know little if anything about the real merits of the question. There are, at the present time, numerous establishments of British subjects — all in the service of the Hudson Bay Company — scattered from the mouth of the Umqua River, in Lat. 43° 30′, northward to the Russian borders. Over these, by act of Parliament in 1821, Great Britain extended the laws of Canada and the jurisdiction of her Courts, and authorized the appointment of the necessary officers for executing these laws and enforcing this jurisdiction. But this was done with express reservation of all the rights secured to the United States by the Convention of 1818, and no attempt has ever been made by British authorities to interfere with American citizens in that quarter. The Americans are settled in the immediate vicinity of the British establishments; in fact the people of both nations are in a manner mingled together. The number of American settlers is on the increase, by continual immigration from the States. They hold the lands upon which they settle only by the tenure of possession, and are governed only by such laws, or regulations, as they choose to adopt. If the controversy about this territory is to remain in abeyance, it may be necessary for Congress to pass

laws for the government of American citizens residing within it; but how such laws are to be executed cannot readily be perceived, and what is to be the result of such an anomalous state of things I will not venture to predict. No stronger proof need be adduced of the ignorance, or something worse, that has prevailed upon this subject in our national councils, than the fact that since 1818 repeated attempts have been made in Congress — bills reported and debated — for establishing a territorial government, and extending the laws and jurisdiction of the United States over the *whole* "Territory of Oregon." Such a measure would have been a gross violation of existing treaty stipulations, and fraught with all the consequences of a hostile act against a friendly and powerful nation.

The first day of the present Session of Congress, Dr. Duncan, a member from Ohio, gave notice of his intention to bring in a bill for taking immediate possession of the whole "Territory of Oregon." He subsequently introduced a bill for this purpose, which was referred to the Committee upon the Territories, and by them amended and reported to the House, where it was ordered to be printed. This bill provides for taking possession of the whole region West of the Rocky Mountains, from Lat. 42° to 54° 40′, and extending over it our laws and jurisdiction. Can any man in his sober senses believe that Great Britain will stand tamely by and see such a measure carried out? She has repeatedly claimed and maintained rights in this territory before the whole civilized world — she has enjoyed these rights, and exercised undisturbed authority within the disputed limits, nearly half a century. Hundreds of her subjects have settled,

and are now living there under her laws. Is it probable — is it within the scope of possibilities — that a nation, that more than fifty years ago expended millions of dollars in preparing to redress an alledged wrong done to one of her subjects, under doubtful circumstances, and to regain a single spot, said to have been taken from that subject at Nootka, within the territory in question — is it possible, that with her pride and her power apparently undiminished, she will now permit the *whole* territory to be taken possession of, and her subjects compelled to submit to foreign authority, or be forcibly expelled from their homes, without even a struggle? There is not the shadow of a doubt in my mind that such an attempt — made and persisted in — would cause an immediate rupture, and bring on war between the two countries as surely as if we were to take possession of the island of Jamaica, or the city of Montreal. There are, I doubt not, in some parts of the Union, political aspirants and political demagogues — men of desperate fortunes — who believe that any change would, to them, be for the better, and therefore desire to provoke a war with Great Britain, reckless of consequences to the country so long as their individual interests are promoted. But I hope that the number of such is small, and trust that their counsels will not be listened to. This controversy may easily be made the pretext for a war with Great Britain, if war is desired; but I repeat that it is eminently one to be settled by negociation. If this cannot be done, let no other steps be taken at present. The British have now a decided superiority in that quarter, but emigration is constantly changing the relative situation of the parties in favor of the United States; and a few years hence she will be better able

to support her pretensions by force than she is at the present time. But it is idle to speak of force. A resort to it can never be necessary. Let the able negociators, who now have this matter in charge, examine it with reference solely to its own merits, — regardless of the clamors of ignorance, or the suggestions of selfishness, — and let them discuss it with the manly frankness and conciliatory spirit that guided the distinguished diplomatists who settled the North-eastern boundary, and it can scarcely fail to be adjusted to the satisfaction of a vast majority of the intelligent people of both nations.

There is a third party interested in this matter, of whom I have not spoken, and who have not been mentioned or even alluded to in the discussions and negociations that have been going on, in relation to this territory, among four civilized nations, for more than fifty years. The claims of this party do not depend upon discovery, or exploration, or contiguity, but rest upon actual, undisturbed, undisputed possession — by themselves and their fathers — from a period to which the history of this continent does not reach. But these claimants are powerless, and have neither fleets nor armies to maintain their rights; and 'tis not the practice of *civilized* and *Christian* nations to listen to the claims, or respect the rights, of savages and heathens! The rights of the Indians, from one extremity of this continent to the other, have been disregarded, are now disregarded, and will, I fear, continue to be disregarded until the day of retribution comes, when equal justice will be meted out to the Christian destroyer and his heathen victim — and that will be a woful day for the white man.

HR
F880
S93
1845

58
53
48
43
38
33
Russian Boundary 54° 40'
Dixon's Entrance
NEW
CALEDONIA
Salmon R.
Rocky Mountains
Washington or Qn Charlottes Id
Princess Royal I.s
Fraser R.
Millbank Sd & Ft Mc Laughlin
Pintard or Qn Charlotte's Sd
PACIFIC OCEAN
Thompson's R.
Gulf of
Quadra & Vancouver's Id
Nootka Sd or Port San Lorenzo
Fraser's R.
Georgia
Parallel of 49°
Ft Colville
Clark's River
Ft Okanagan
Strait of Juan de Fuca
Spokein River & Indians
Boundary suggested by Mr. Sturgis
Port Discovery
Admiralty Inlet
Mt Olympus
Cape Disappointment
Columbia River
Cape Adams
Ft George or Vancouver
Ft. Umquah
Umqua R.
C. Blanco or Aguila or Orford
Clamet R.
Now the Northern Boundary of California 42°
C. Mendocino
50
45
40
Thayer & Co's Lith. Boston