

same principle that Great Britain had claimed and dispossessed her of the regions west of the Alleghany; or that the United States, as soon as they had acquired the right of France, should assert the same claim, and take measures immediately after to explore it, with a view to occupation and settlement. But since then we have strengthened our title, by adding to our own proper claims and those of France the claims also of Spain by the Treaty of Florida, as has been stated.

The claims which we have acquired from her between the Rocky Mountains and the Pacific, rest on her priority of discovery. Numerous voyages of discovery, commencing with that of Maldonado in 1520, and ending with that under Galiano and Naldes in 1792, were undertaken by her authority, along the northwestern coast of North America. That they discovered and explored the entire coast of what is now called the Oregon Territory, but still further north, is a fact too well established to be confronted at this day, the voyages which they performed will accordingly be passed over at present without being particularly alluded to, with the exception of that of Heceta. His discovery of the mouth of the Columbia River has already been referred to. It was made on the 15th of August, 1775—many years anterior to the voyages of Meares and Vancouver, and was prior to Cook's, who did not reach the northwestern coast until 1778. The claims it gave to Spain of priority of discovery were transferred to us, with all others belonging to her, by the treaty of Florida; which, added to the discovery of Capt. Gray, places our right to the mouth and entrance into the inlet and river beyond all controversy.

It has been objected that we claim under various and conflicting titles, which mutually destroy each other. Such might indeed be the fact while they were held by different parties; but since we have rightfully acquired both those of Spain and France, and concentrated the whole in our hands, they mutually blend with each other, and form one strong and connected chain of title against the opposing claims of all others, including Great Britain.

In order to present more fully and perfectly the grounds on which our claims to the region in question rest, it will now be necessary to turn back to the time of when Astoria was restored to us, under the provisions of the treaty of Ghent, and to trace what has since occurred between the two countries in reference to the territory, and inquire whether their respective claims have been affected by the settlements since made in the territory by Great Britain, or the occurrences which have since taken place.

The restoration of Astoria took place under the provisions of the treaty of Ghent, on the 6th day of October, 1818—the effect of which was to put Mr. Provost, the agent authorized by our Government to receive it, in possession of the establishment, with the right at all times to be reinstated and considered the party in possession, as was explicitly admitted by Lord Castlereagh in the first negotiation between the two governments in reference to the treaty. The words of Mr. Rush, our Plenipotentiary on that occasion, in his letter to Mr. Adams, then Secretary of State, of the 14th of February, 1818, reporting what passed between him and his Lordship, are, that “*Lord Castlereagh admitted in the most ample extent our right to be reinstated, and to be the party in possession, while treating of the title.*”

That negotiation terminated in the convention of the 20th of October, 1818—the third article of which is in the following words:—

“It is agreed that any country that may be claimed by either party on the northwest coast of America, westward of the Stony Mountains, shall, together with its harbours, bays, and creeks, and the navigation of all rivers within the same, be free and open for the term of ten years from the date of the signature of the present

convention, to the vessels, citizens and subjects of the two powers; it being well understood that this agreement is not to be considered 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.”

The two Acts, the restoration of our possession and the signature of the convention, were nearly contemporaneous—the latter taking place but fourteen days subsequent to the former. We were then, as admitted by Lord Castlereagh, entitled to be considered as the party in possession; and the convention which stipulated that the territory should be free and open, for the term of ten years from the date of its signature, to the vessels, citizens and subjects of the two countries, without prejudice to any claim which either party may have to any part of the same, preserved and perpetuated all our claims to the territory, including the acknowledged right to be considered the party in possession, as perfectly during the period of its continuance as they were the day the convention was signed. Of this there can be no doubt.

After an abortive attempt to adjust the claims of the two parties to the territory, in 1824, another negotiation was commenced in 1826—which terminated in renewing, on the 6th of August, 1827, the third article of the convention of 1818, prior to its expiration. It provided for the indefinite extension of all the provisions of the third article of that convention; and also that either party might terminate it at any time it might think fit, by giving one year's notice, after the 20th of October, 1828. It took, however, the precaution of providing expressly that “*nothing contained in this convention, or in the third article of the convention of the 20th October, 1818, hereby continued in force, shall be construed to impair or in any way affect the claims which either of the contracting parties may have to any part of the country westward of the Stony or Rocky Mountains.*” That convention is now in force, and has continued to be so since the expiration of that of 1818. By the joint operation of the two, our right to be considered the party in possession, and all the claims we had to the territory while in possession, are preserved in as full vigour as they were at the date of its restoration in 1818, without being affected or impaired by the settlements since made by the subjects of Great Britain.

Time, indeed, so far from impairing our claims, has greatly strengthened them, since that period; for, since then, the treaty of Florida transferred to us all the rights, claims and pretensions of Spain to the whole territory, as has been stated. In consequence of this, our claims to the portion drained by the Columbia river—the point now the subject of consideration—have been much strengthened, by giving us the incontestable claim to the discovery of the mouth of the river by Heceta, above stated. But it is not in this particular only that it has operated in our favour. Our well-grounded claim, grounded on continuity, has greatly strengthened, during the same period, by the rapid advance of our population towards the territory—its great increase, especially in the valley of the Mississippi—as well as the greatly increased facility of passing to the territory by more accessible routes, and the far stronger and rapidly increasing tide of population that has recently commenced flowing into it.

When the first convention was concluded, in 1818, our whole population did not exceed nine millions of people. The portion of it inhabiting the States in the great valley of the Mississippi, was probably under one million seven hundred thousand—of which, not more than two hundred thousand were on the west side of the river. Now, our population may be safely estimated at no less than nineteen millions—of which at