

least eight millions inhabit the States and Territories in the valley of the Mississippi, and of which, upwards of one million are in the States and Territories west of that river. This portion of our population is now increasing far more rapidly than ever, and will, in a short time, fill the whole tier of States on its western bank.

To this great increase of population, especially in the valley of the Mississippi, may be added the increased facility of reaching Oregon Territory, in consequence of the discovery of the remarkable pass in the Rocky Mountains, at the head of La Platte. The depression is so great, and the pass so smooth, that loaded waggons now travel with facility from Missouri to the navigable waters of the Columbia river. These joint causes have had the effect of turning the current of our population towards the territory, and an emigration estimated at not less than one thousand during the last, and fifteen hundred the present year has flowed into it. The current thus commenced, will, no doubt, continue to flow with increased volume hereafter. There can then be no doubt now that the operation of the same causes which impelled our population westward from the shores of the Atlantic, across the Alleghany to the valley of the Mississippi, will impel them onwards with accumulating force across the Rocky Mountains into the valley of the Columbia, and that the whole region drained by it is destined to be peopled by us.

Such are our claims to that portion of the territory, and the grounds on which they rest. The undersigned believes them to be well founded, and trusts that the British Plenipotentiary will see in them sufficient reasons why he should decline his proposal.

The undersigned Plenipotentiary abstains, for the present, from presenting the claims which the United States may have to other portions of this territory.

The undersigned avails himself of this occasion to renew to the British Plenipotentiary assurances of his high consideration.

J. C. CALHOUN.

R. PAKENHAM, Esq. &c.

[D]

SEPTEMBER 12, 1844.

The undersigned, British Plenipotentiary, has studied with much interest and attention, the statement (marked A,) presented by the American Plenipotentiary, setting forth the grounds on which he declines the proposal offered by the British Plenipotentiary, as a compromise of the difficulties of the Oregon question. The arrangement contemplated by that proposal would, in the estimation of the American Plenipotentiary, have the effect of restricting the possessions of the United States to limits far more circumscribed than their claims clearly entitle them to.

The claims of the United States to the portion of territory drained by the Columbia River are divided into those adduced by the United States in their own proper right, and those which they have derived from France and Spain.

The former as against Great Britain, they ground on priority of discovery and priority of exploration and settlement.

The claim derived from France originates in the treaty of 1803, by which Louisiana was ceded to the United States, with all its rights and appurtenances, as fully and in the same manner as they had been acquired by the French Republic; and the claim derived from Spain is founded on the treaty concluded in the year 1819, whereby His Catholic Majesty ceded to the United States all his rights, claims and pretensions to the territories lying east and north of a certain line terminating on the Pacific, in the 42d degree of north latitude.

Departing from the order in which these separate claims are represented by the American Plenipotentiary, the British Plenipotentiary will first beg leave to ob-

serve, with regard to the claim derived from France, that he has not been able to discover any evidence tending to establish the belief that Louisiana, as originally possessed by France, afterwards transferred to Spain, then retroceded by Spain to France, and ultimately ceded by the latter power to the United States, extended in a westerly direction beyond the Rocky Mountains. There is, on the other hand, strong reason to suppose that, at the time when Louisiana was ceded to the United States, its acknowledged western boundary was the Rocky Mountains. Such appears to have been the opinion of President Jefferson, under whose auspices the acquisition of Louisiana was accomplished.

In a letter written by him in August, 1803, are to be found the following words:—

“The boundaries (of Louisiana) which I deem not admitting question, are the high lands on the western side of the Mississippi, inclosing all its waters—the Missouri of course—and terminating in the line drawn from the north-west point of the Lake of the Woods in the nearest source of the Mississippi as lately settled between Great Britain and the United States.”

In another and more formal document, dated July, 1807—that is to say, nearly a year after the return of Lewis and Clarke from their expedition to the Pacific, and fifteen years after Gray had entered the Columbia River—is recorded Mr. Jefferson's opinion of the impolicy of giving offence to Spain by any intimation that the claims of the United States extended to the Pacific; and we have the authority of an American historian, distinguished for the attention and research which he has bestowed on the whole subject of the Oregon Territory, for concluding that the western boundaries of Louisiana, as it was ceded by France to the United States, were those indicated by nature—namely, the high lands separating the waters of the Mississippi from those falling into the Pacific.

From the acquisition, then, of Louisiana, as it was received from France, it seems clear that the United States can deduce no claim to territory west of the Rocky Mountains. But even if it were otherwise, and France had even asserted a claim of territory west of the Rocky Mountains, as appertaining to the territory of Louisiana, that claim, whatever it might be, was necessarily transferred to Spain when Louisiana was ceded to that power in 1762, and of course became subject to the provisions of the treaty between Spain and Great Britain of 1790, which effectually abrogated the claim of Spain to exclusive dominion over the unoccupied parts of the American Continent.

To the observations of the American Plenipotentiary respecting the effect of contiguity in furnishing a claim to territory, the undersigned has not failed to pay due attention; but he submits that what is said on this head may more properly be considered as demonstrating the greater degree of interest which the United States possess by reason of contiguity in acquiring territory in that direction, than as affecting, in any way, the question of right.

The undersigned will endeavour to show hereafter that, in the proposal put in on the part of Great Britain, the natural expectations of the United States, on the ground of contiguity, have not been disregarded.

Next comes to be examined the claim derived from Spain.

It must indeed be acknowledged that, by the treaty of 1819, Spain did convey to the United States all that she had the power to dispose of on the northwest coast of America, north of the 42d parallel of latitude; but she could not, by that transaction, annul or invalidate the rights which she had, by a previous transaction, acknowledged to belong to another power.

By the treaty of the 28th of October, 1790, Spain acknowledged in Great Britain certain rights with respect to those parts of the western coast of America not already occupied.