EDITED BY THOMAS RITCHIE.

THOMAS RITCHIE & JOHN P. HEISS
PROPRIETORS AND PUBLISHERS.

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☞ Letters to the Proprietors, charged with postage, will not be taken out of the post office.

NORTH CAROLINA DRESSED FLOORING.

ONE HUNDRED THOUSAND FEET North Carolina dressed flooring, prime quality, just received, and for sale, by

JAMES GREEN, Alexandria,

who has for rent a commodious dwelling-house, near the corner of C and 10th streets, containing two parlors, with sliding doors, dining room and kitchen on the lower floor, and six chambers on the 2d door. Inquire of E. Green, corner of 11th street and Pennsylvania avenue, or of

JAMES GREEN, Alexandria.

Dec. 1—6t*

LADIES, are you aware that you can save one half of your money by purchasing your ritands, flowers, bonnet caps, French worked collars, and inside handkerchiefs, laces, nets, dress-trimmings, gloves, mitts, muslins, and all kinds of fancy goods, at the New York Cheap Lace store, Pennsylvania avenue, between 10th and 11th streets? We can and will sell goods 50 per cent. cheaper than they can possibly be purchased this side of New York. And for proof of what we say, look at our prices: Splendid styles, and rich bonnet riband, from 12½ to 25 cts.—worth 25 to 50 cts. Bonnet-caps and flowers, from 10 to 31 cents—worth double the price. New laces, from 4 to 37½ cents per yard—usual price, from 12½ cents to $1 00. Best sewing silk, only 2 cents—worth 5 cents. Best solid-head pins, 4, 5, and 6 cents per paper—worth 10 cents. Spool cotton, (200 yards,) for 3 cents. Worsted mitts, only 8 cents—worth 12½. And thousands of other articles now worn and wanted for half what others sell them for.

NEW GOODS! NEW GOODS!!

To be opened this evening, and ready for sale to-morrow, a splendid lot of 8-4 Tarletans for dresses, at the very low price of 56¼ cents per yard. Also, a magnificent assortment of French work, very cheap; and a few black silk embossed falls, an article very much wanted, and $1 00 less than the usual price.

With a very large lot of rich and fashionable goods, positively for one-half the usual price.

BRAGDON & TWOMBLY,
Pennsylvania avenue, between 10th and 11th sts.

N. B. All goods bought at our store may be returned and exchanged, or the money refunded, if they are not what they are recommended.

Nov. 24—ifif B. & T.

THE INVESTIGATOR.—The editor of this periodical takes occasion to inform the public that the first volume is nearly completed, and that it is very desirable to commence the second with an increased number of subscribers.

He thinks his work ought to receive the special countenance and aid of the religious part of the community, as it is devoted to religion and morals, as well as to science, literature, and education, and as its pages are at the service of all denominations.

The work will be published as heretofore—monthly—in the city of Washington, D. C., by Columbus Drew, and edited by Josiah F. Polk, but under the title of *The Investigator and Advocate of Independence.*

It is comprised in 32 pages octavo—making 384 for the volume, at $1 50 per year. Agents will be liberally compensated for procuring subscribers. Every person who will procure *four*, (himself one of them,) will be expected to send the money for *three* only. His copy will be sent to him for a year without charge. Remittances may be made to either the publisher or editor.

Editors friendly to the work, will confer a great favor by giving this notice, or a part of it, a place in their papers a few times.

The editor will be happy to exchange with all who may feel disposed to do so.

It has been asked, "What are the editor's principles?" Although he thinks they may be inferred from the title of his work, he will, in one respect, "*define* his position." Conscientiously holding the opinion, that, to *promise and swear obedience, without restriction or qualification*, to any power but God and the law of the land, is incompatible with *republicanism and the rights of man*, and debasing to the high prerogative of *citizens of the United States*—especially if such obedience be *promised* and *sworn to a foreign potentate or prince*—and more especially if it be of a *religious or spiritual* character—(because a religious allegiance, if made in good faith, necessarily is, as it should always be, paramount to all other obligations)—he will unceasingly controvert the propriety and expediency of such an obligation for citizens of the United States; and will also oppose, with all the ability which God and industry shall afford him, *every* principle (by whomsoever professed) at war with the *freedom of the mind*, and a perfect *individual independence of thought, faith, or opinion.*

Nov. 22—2aw2w&1aw3w.

STRAW CUTTERS.—Those who were heretofore disappointed in getting straw cutters (which I am selling faster than I can have them made) can now be supplied, if they will call immediately at the corner of E and 7th streets. Provender is so dear, that these boxes will save themselves in half a year; and nobody who has a horse or a cow should be without one.

A wheat fan for sale cheap.

J. F. CALLAN,
Corner of E and 7th streets.

Nov. 28

THIS is to give notice, that the subscriber has obtained from the orphan's court of Washington co., in the District of Columbia, letters of administration on the personal estate of Sarah Cummerford, late of Washington county, deceased. All persons having claims against the deceased are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, on or before the 14th day of November next; they may otherwise, by law, be excluded from all benefit of said estate. Given under my hand, this 14th day of November, 1845.

MICHAEL NASH, Adm'r.

Nov 14—law3w*

CARPETINGS, CARPETINGS, CARPETINGS, &c.—The subscriber has just received and offers on the very best terms, Saxony, Brussels and ingrain carpetings. He names, in part—

500 yards rich Saxony carpetings, superb patterns
500 yards extra super Brussels carpetings, superb patterns
500 yards medium Brussels carpetings, superb patterns
1,000 yards three-ply carpetings, rich patterns
2,000 do. best quality ingrain carpetings
500 do. medium do. do.
10 sets Venetian carpetings, of all the different widths and colors
10 pieces rich printed floor drugget, from 1¼ to 3 yards wide. Together with
100 hearth rugs, some of which are very superior.

Also, floor oil-cloths of every width and description.

The above goods offer inducements rarely to be met with, and are sure to give entire satisfaction.

Nov. 3—3teo2wif R. ESTEP.

UNITED STATES HOTEL.

THE undersigned feel very grateful for the liberal patronage bestowed on this establishment since its opening.

During the last season, an additional tenement, fronting on Pennsylvania avenue, has been procured by us, and very many improvements made in its interior arrangements, particularly as regards the ladies' and gentlemen's ordinaries; they are separate, and we flatter ourselves will compare favorably with any others in the country.

Confidently believing that we can offer to the traveller and sojourner in the metropolis all the comforts of a "home," we respectfully solicit a call. Terms, as heretofore, viz: $1 50 per day.

TYLER & BURCH.

Nov. 19—3taw2w

The Daily Union.

VOLUME I. "LIBERTY, THE UNION, AND THE CONSTITUTION." NUMBER 187.

WASHINGTON CITY, SATURDAY NIGHT, DECEMBER 6, 1845.

CONGRESSIONAL.

DOCUMENTS ACCOMPANYING THE PRESIDENT'S MESSAGE.

CORRESPONDENCE WITH THE DEPARTMENT OF STATE.

Mr. Fox to Mr. Webster.

WASHINGTON, Nov. 15, 1842.

SIR: With reference to our recent conversation upon the question of the Oregon or northwestern boundary, when I conveyed to you the desire of her Majesty's government that instructions should at an early period be addressed to the United States minister in London, empowering him to treat with such person as may be appointed by her Majesty on the part of Great Britain for a final settlement of that question, I have now the honor to inclose to you the extract of a despatch addressed to me upon the subject by the Earl of Aberdeen, in which the wishes of her Majesty's government are fully and satisfactorily set forth. I feel persuaded that the great importance of the matter at issue, and the friendly and conciliatory manner of Lord Aberdeen's proposal, will induce the President of the United States to bestow thereupon his early and serious attention.

I avail myself of this occasion to renew to you the assurance of my distinguished consideration.

H. S. FOX.

Hon. DANIEL WEBSTER, &c., &c., &c.

[Inclosure.]

FOREIGN OFFICE, Oct. 18, 1842.

SIR: The ratifications of the treaty concluded on the 9th of August between Great Britain and the United States, were exchanged by me on the 13th instant with the minister of the United States accredited to the court of her Majesty.

The more important question of the disputed boundary between her Majesty's North American provinces and the United States being thus settled, and the feelings which have been mutually produced in the people of both countries by this settlement being evidently favorable, and indicative of a general desire to continue on the best footing with each other, it has appeared to her Majesty's government that both parties would act wisely in availing themselves of so auspicious a moment to endeavor to bring to a settlement the only remaining subject of territorial difference, which, although not so hazardous as that of the northeastern boundary, is, nevertheless, even at this moment, not without risk to the good understanding between the two countries, and may, in course of time, be attended with the same description of danger to their mutual peace as the question which has recently been adjusted—I speak of the line of boundary west of the Rocky mountains.

You are aware that Lord Ashburton was furnished with specific and detailed instructions with respect to the treatment of this point of difference between the two governments, in the general negotiations with which he was intrusted, and which he has brought to a satisfactory issue.

For reasons which it is not necessary here to state at length, that point, after having been made the subject of conference with the American Secretary of State, was not further pressed. The main ground alleged by his lordship for abstaining from proposing to carry on the discussion with respect to the question of the northwest boundary, was the apprehension, lest, by so doing, the settlement of the far more important matter of the northeastern boundary should be impeded, or exposed to the hazard of failure.

This ground of apprehension now no longer exists; and her Majesty's government, therefore, being anxious to endeavor to remove, so far as depends on them, all cause, however remote, of even contingent risk to the good understanding now so happily restored between two countries which ought never to be at variance with each other, have determined to propose to the government of the United States to meet them in an endeavor to adjust by treaty the unsettled question of boundary west of the Rocky mountains.

On the receipt of this despatch, therefore, I have to desire that you will propose to Mr. Webster to move the President to furnish the United States minister at this court with such instructions as will enable him to enter upon the negotiation of this matter, with such person as may be appointed by her Majesty for that object. And you will assure him, at the same time, that we are prepared to proceed to the consideration of it in a perfect spirit of fairness, and to adjust it on a basis of equitable compromise.

I am, with great truth and regard, sir, your most bedient humble servant.

ABERDEEN.

Mr. Webster to Mr. Fox.

DEPARTMENT OF STATE,
Washington, Nov. 25, 1842.

SIR: I have the honor to acknowledge the receipt of your note of the 15th instant, upon the question of the Oregon or northwestern boundary, with an extract of a despatch recently addressed to you on the subject by the Earl of Aberdeen, explanatory of the wishes of her Majesty's government; both of which I laid before the President a few days afterwards.

He directed me to say that he concurred entirely in the expediency of making the question respecting the Oregon territory a subject of immediate attention and negotiation between the two governments. He had already formed the purpose of expressing this opinion in his message to Congress; and, at no distant day, a communication will be made to the minister of the United States in London.

I pray you to accept the renewed assurance of my distinguished consideration.

DANIEL WEBSTER.

H. S. Fox, esq., &c., &c., &c.

Mr. Pakenham to Mr. Upshur.

WASHINGTON, February 24, 1844.

Among the matters at present under the consideration of the two governments, there is none respecting which the British government are more anxious to come to an early and satisfactory arrangement with the government of the United States than that relating to the boundaries of the Oregon or Columbia Territory.

The undersigned, her Majesty's envoy extraordinary and minister plenipotentiary, has accordingly been instructed to lose no time in entering into communication with the Secretary of State of the United States upon the subject.

In fulfilment, then, of the commands of his government, the undersigned has the honor to acquaint Mr. Upshur that he will be ready to confer with him, with a view to ulterior negotiation on the subject in question, whensoever it shall suit Mr. Upshur's convenience.

The undersigned is happy in taking advantage of this opportunity to offer to Mr. Upshur the assurance of his high consideration.

R. PAKENHAM.

Hon. ABEL P. UPSHUR, &c., &c., &c.

Mr. Upshur to Mr. Pakenham.

DEPARTMENT OF STATE,
Washington, February 26, 1844.

The undersigned, Secretary of State of the United States, has the honor to acknowledge the receipt of the note dated the 24th inst. from Mr. Pakenham, her Majesty's envoy extraordinary and minister plenipotentiary, in which he states that he will be ready to confer with the undersigned, with a view to ulterior negotiation on the subject of the boundaries of the Oregon or Columbia Territory, whensoever it shall suit his convenience.

In reply, the undersigned has the honor to inform Mr. Pakenham that he will receive him for that purpose, at the Department of State, to-morrow, at 11 o'clock a. m.

The undersigned avails himself with pleasure of the occasion to offer to Mr. Pakenham assurances of his distinguished consideration.

A. P. UPSHUR.

RICHARD PAKENHAM, esq., &c., &c., &c.

Mr. Pakenham to Mr. Calhoun.

WASHINGTON, July 22, 1844.

SIR: In the archives of the Department of State will be found a note which I had the honor to address, on the 24th February last, to the late Mr. Upshur, expressing the desire of her Majesty's government to conclude with the government of the United States a satisfactory arrangement respecting the boundary of the Oregon or Columbia Territory.

The lamented death of Mr. Upshur, which occurred within a few days after the date of that note, the interval which took place between that event and the appointment of a successor, and the urgency and importance of various matters which offered themselves to your attention immediately after your accession to office, sufficiently explain why it has not hitherto been in the power of your government, sir, to attend to the important matters to which I refer.

But, the session of Congress having been brought to a close, and the present being the season of the year when the least public business is usually transacted, it occurs to me that you may now feel at leisure to proceed to the consideration of that subject. At all events it becomes my duty to recall it to your recollection, and to repeat the earnest desire of her Majesty's government that a question on which so much interest is felt in both countries should be disposed of at the earliest moment consistent with the convenience of the government of the United States.

I have the honor to be, with high consideration, sir, your obedient servant.

R. PAKENHAM.

The Hon. JOHN C. CALHOUN, &c.

Mr. Calhoun to Mr. Pakenham.

DEPARTMENT OF STATE,
Washington, Aug. 22, 1844.

SIR: The various subjects which necessarily claimed my attention on entering on the duties of my office have heretofore, as you justly suppose in your note of the 22d of July last, prevented me from appointing a time to confer with you, and enter on the negotiation in reference to the Oregon Territory.

These have at length been despatched; and, in reply to the note which you did me the honor to address to me of the date above mentioned, I have to inform you that I am now ready to enter on the negotiation, and, for that purpose, propose a conference to-morrow at 1 o'clock, p. m., at the Department of State, if perfectly convenient to you, but, if not, at any other which it may suit your convenience to appoint.

The government of the United States participates in the anxious desire of that of Great Britain that the subject may be easily and satisfactorily arranged.

I have the honor to be, with high consideration, sir, your obedient servant.

J. C. CALHOUN.

The Right Hon. R. PAKENHAM, &c.

Mr. Pakenham to Mr. Calhoun.

WASHINGTON, Aug. 22, 1844.

SIR: I have had the honor to receive your note of this morning's date, in which you signify your readiness to enter on the negotiation in reference to the Oregon Territory, proposing to me to meet you in conference on that subject to-morrow at 1 o'clock.

In reply, I have the honor to acquaint you that I shall have great pleasure in waiting on you at the Department of State at the hour proposed.

Be pleased to accept the assurance of my distinguished consideration.

R. PAKENHAM.

The Hon. J. C. CALHOUN, &c.

Protocols.

On the 23d of August, 1844, a conference was held by appointment at the office of the Secretary of State, in the city of Washington, between the Honorable John C. Calhoun, Secretary of State of the United States, and the Right Honorable Richard Pakenham, her Britannic Majesty's envoy extraordinary and minister plenipotentiary, both duly authorized by their respective governments to treat of the respective claims of the two countries to the Oregon Territory, with the view to establish a permanent boundary between the two countries westward of the Rocky mountains to the Pacific ocean.

The conference was opened by assurances on both sides of the desire of their respective governments to approach the question with an earnest desire, and in the spirit of compromise, to effect an adjustment consistent with the honor and just interests of either party. The plenipotentiaries then proceeded to examine the actual state of the question as it stood at the last unsuccessful attempt to adjust it.

This done, the American plenipotentiary desired to receive from the British plenipotentiary any fresh proposal he might be instructed to offer on the part of his government towards effecting an adjustment.

The British plenipotentiary said he would be ready to offer such a proposal at their next conference, hoping that the American plenipotentiary would be ready to present a proposal on the part of his government. The conference adjourned, to meet on Monday, the 26th instant.

J. C. CALHOUN.
R. PAKENAAM.

On the 26th of August, 1844, the second conference was held between the respective plenipotentiaries, at the office of the Secretary of State.

The British plenipotentiary offered a paper containing a proposal for adjusting the conflicting claims of the two countries. The American plenipotentiary declined the proposal. Some remarks followed in reference to the claims of the two countries to the territory, when in became apparent that a more full understanding of their respective views in reference to them was necessary at this stage, in order to facilitate future proceedings. It was accordingly agreed that written statements containing their views should be presented before any further attempt should be made to adjust them.

It was also agreed that the American plenipotentiary should present a statement at the next conference; and that he should inform the British plenipotentiary when he was prepared to hold it.

J. C. CALHOUN,
R. PAKENHAM.

Proposal offered by the British plenipotentiary at the second conference.

Whereas the proposals made on both sides in the course of the last negotiation had been mutually declined, her Majesty's government were prepared, in addition to what had already been offered on the part of Great Britain,* and in proof of their earnest desire to arrive at an arrangement suitable to the interests and wishes of both parties to undertake to make free to the United States, any port or ports which the United States government might desire, either on the mainland or on Vancouver's island, south of latitude 49°.

R. P.

On the 2d of September, 1844, the third conference was held, at the office of the Secretary of State, according to appointment. The American plenipotentiary presented a written statement of his views of the claims of the United States to the portion of the territory drained by the waters of the Columbia river, (marked A,) and containing his reasons for declining to accept the proposal offered by the British plenipotentiary at their second conference.

J. C. CALHOUN.
R. PAKENHAM.

On the 12th of September, 1844, the fourth conference was held, at the office of the Secretary of State; when the British plenipotentiary presented his statement, (marked D,) counter to that of the American plenipotentiary, (marked A,) presented at the preceding conference.

J. C. CALHOUN.
R. PAKENHAM.

At the fifth conference, held at the office of the Secretary of State, on the 20th of September, the American plenipotentiary delivered to the British plenipotentiary a statement, (marked B,) in rejoinder to his counter statement, (marked A.)

J. C. CALHOUN.
R. PAKENHAM.

The sixth conference was held on the 24th September; when the British plenipotentiary stated that he had read with due attention the statement, (marked B,) presented by the American plenipotentiary at the last conference, but that it had not weakened the impression previously entertained by him with regard to the claims and rights of Great Britain, as explained in the paper lately presented by him, (marked D.) That reserving for a future occasion such observations as he might wish to present by way of explanations in reply to the statement last presented by the American plenipotentiary, he was for the present obliged to declare, with reference to the concluding part of that statement, that he did not feel authorized to enter into discussion respecting the territory north of the 49th parallel of latitude, which was understood by the British government to form the basis of negotiation on the side of the United States, as the line of the Columbia formed that on the side of Great Britain. That the proposal which he had presented was offered by Great Britain as an honorable compromise of the claims and pretensions of both parties, and that it would of course be understood as having been made subject to the condition recorded in the protocol of the third conference held between the respective plenipotentiaries in London, in December, 1826.*

J. C. CALHOUN,
R. PAKENHAM.

The seventh conference was held at the Department of State on the 16th of July, 1845, between the Hon. James Buchanan, Secretary of State, the American plenipotentiary, and the Right Honorable Richard Pakenham, the British plenipotentiary; when the pending negotiation respecting the Oregon Territory was resumed. The American plenipotentiary presented to the British plenipotentiary a statement, (marked J B,) bearing date 12th July, 1845, made in compliance with the request of the latter, contained in his statement (marked D) that the American plenipotentiary would propose an arrangement for an equitable adjustment of the question, and also define the nature and extent of the claims of the United States to the territory north of the valley of the Columbia.

JAMES BUCHANAN,
R. PAKENHAM.

(A.)

WASHINGTON, 3d September, 1844.

The undersigned, American plenipotentiary, declines the proposal of the British plenipotentiary, on the ground that it would have the effect of restricting the possessions of the United States to limits far more circumscribed than their claims clearly entitle them to. It proposes to limit their northern boundary by a line drawn from the Rocky mountains along the 49th parallel of latitude to the northeasternmost branch of the Columbia river, and thence down the middle of that river to the sea—giving to Great Britain all the country north, and to the United States all south, of that line, except a detached territory extending on the Pacific and the Straits of Fuca, from Bulfinch's harbor to Hood's canal. To which it is proposed, in addition, to make free to the United States any port which the United States government might desire, either on the mainland or on Vancouver's island, south of latitude 49°.

By turning to the map hereto annexed, and on which the proposed boundary is marked in pencil, it will be seen that it assigns to Great Britain almost the entire region (on its north side) drained by the Columbia river, lying on its northern bank. It is not deemed necessary to state at large the claims of the United States to this territory, and the grounds on which they rest, in order to make good the assertion that it restricts the possessions of the United States within narrower bounds than they are clearly entitled to. It will be sufficient for this purpose to show that they are fairly entitled to the entire region drained by the river; and to the establishment of this point, the undersigned proposes accordingly to limit his remarks at present.

Our claims to the portion of the territory drained by the Columbia river may be divided into those we have in our own proper right, and those we have derived from France and Spain. We ground the former, as against Great Britain, on priority of discovery and priority of exploration and settlement. We rest our claim to discovery, as against her, on that of Captain Gray, a citizen of the United States, who, in the ship Columbia, of Boston, passed its bar and anchored in the river, ten miles above its mouth, on the 11th of May, 1792; and who afterwards sailed up the river twelve or fifteen miles, and left it on the 20th of the same month, calling it "*Columbia*," after his ship, which name it still retains.

On these facts our claim to the discovery and entrance into the river rests. They are too well attested to be controverted. But they have been opposed by the alleged discoveries of Meares and Vancouver. It is true that the former explored a portion of the coast through which the Columbia flows into the ocean, in 1788, (five years before Captain Gray crossed the bar and anchored in the river,) in order to ascertain whether the river, as laid down in the Spanish charts, and called the St. Roc, existed or not: but it is equally true that he did not even discover it. On the contrary, he expressly declares, in his account of the voyage, as the result of his observations, that "*we can now safely assert that there is no such river as that of the St. Roc, as laid down in the Spanish charts;*" and, as if to perpetuate his disappointment, he called the promontory lying north of the inlet where he expected to discover it, Cape Disappointment, and the inlet itself, Deception Bay. It is also true that Vancouver, in April, 1792, explored the same coast; but it is no less so that he failed to discover the river—of which his own journal furnishes the most conclusive evidence, as well as his strong conviction that no such river existed. So strong was it, indeed, that, when he fell in with Captain Gray, shortly afterwards, and was informed by him that he had been off the mouth of a river, in latitude 46 degrees 10 minutes, whose outlet was so strong as to prevent his entering, he remained still incredulous, and strongly expressed himself to that effect in his journal. It was shortly after this interview that Captain Gray again visited its mouth, crossed its bar, and sailed up the river, as has been stated. After he left it, he visited Nootka Sound, where he communicated his discoveries to Quadra, the Spanish commandant at that place, and gave him a chart and description of the mouth of the river. After his departure, Vancouver arrived there, in September; when he was informed of the discoveries of Captain Gray, and obtained from Quadra copies of the chart he had left with him. In consequence of the information thus obtained, he was induced to visit again that part of the coast. It was during this visit that he entered the river, on the 20th October, and made his survey.

From these facts, it is manifest that the alleged discoveries of Meares and Vancouver cannot, in the lightest degree, shake the claim of Captain Gray to priority of discovery. Indeed, so conclusive is the evidence in his favor, that it has been attempted to evade our claim on the novel and wholly untenable ground that his discovery was made, not in a national, but private vessel. Such, and so incontestable, is the evidence of our claim, as against Great Britain—from priority of discovery, as to the mouth of the river, crossing its bar, entering it, and sailing up its stream, on the voyage of Captain Gray alone, without taking into consideration the prior discovery of the Spanish navigator, Heceta—which will be more particularly referred to hereafter.

Nor is the evidence of the priority of our discovery of the head-branches of the river and its exploration less conclusive. Before the treaty was ratified by which we acquired Louisiana, in 1803, an expedition was planned—at the head of which were placed Meriwether Lewis and William Clarke—to explore the river Missouri and its principal branches to their sources, and then to seek and trace to its termination in the Pacific some stream, "*whether the Columbia, the Oregon, the Colorado, or any other which might offer the most direct and practicable water-communication across the continent, for the purpose of commerce.*" The party began to ascend the Missouri in May, 1804, and, in the summer of 1805, reached the head-waters of the Columbia river. After crossing many of the streams falling into it, they reached the Kooskooskee, in latitude 43° 34'—descended that to the principal northern branch, which they called Lewis's—followed that to its junction with the great northern branch, which they called Clarke—and thence descended to the mouth of the river, where they landed, and encamped on the north side, on Cape Disappointment, and wintered. The next spring, they commenced their return, and continued their exploration up the river, noting its various branches, and tracing some of the principal; and finally arrived at St. Louis in September, 1806, after a absence of two years and four months.

It was this important expedition which brought to the knowledge of the world this great river—the greatest by far on the western side of this continent—with its numerous branches, and the vast regions through which it flows, above the points to which Gray and Vancouver had ascended. It took place many years before it was visited and explored by any subject of Great Britain, or of any other civilized nation, so far as we are informed. It as clearly entitles us to the claim of priority of discovery, as to its head branches, and the exploration of the river and region through which it passes, as the voyages of Captain Gray and the Spanish navigator, Heceta, entitled us to priority in reference to its mouth, and the entrance into its channel.

Nor is our priority of settlement less certain. Establishments were formed by American citizens on the Columbia as early as 1809 and 1810. In the latter year, a company was formed in New York, at the head of which was John Jacob Astor, a wealthy merchant of that city, the object of which was to form a regular chain of establishments on the Columbia river and the contiguous coasts of the Pacific, for commercial purposes. Early in the spring of 1811, they made their first establishment on the south side of the river, a few miles above Point George; where they were visited in July following by Mr. Thompson, a surveyor and astronomer of the Northwest Company, and his party. They had been sent out by that company to forestall the American company in occupying the mouth of the river, but found themselves defeated in their object. The American company formed two other connected establishments higher up the river: one at the confluence of the Okenegan with the north branch of the Columbia; about six hundred miles above its mouth; and the other on the Spokan, a stream falling into the north branch, some fifty miles above.

These posts passed into the possession of Great Britain during the war which was declared the next year; but it was provided by the first article of the treaty of Ghent, which terminated it, that "*all territories, places, and possessions whatever taken by either party from the other during the war, or which may be taken after the signing of the treaty, excepting the islands hereafter mentioned (in the Bay of Fundy) shall be restored without delay.*" Under this provision, which embraces all the establishments of the American company on the Columbia, Astoria was formally restored, on the 6th of October, 1818, by agents duly authorized on the part of the British government to restore the possession, and to an agent duly authorized on the part of the government of the United States to receive it—which placed our possession where it was before it passed into the hands of British subjects.

Such are the facts on which we rest our claims to priority of discovery and priority of exploration and settlement, as against Great Britain, to the region drained by the Columbia river. So much for the claims we have, in our own proper right, to that region.

To these we have added the claims of France and Spain. The former we obtained by the treaty of Louisiana, ratified in 1803; and the latter by the treaty of Florida, ratified in 1819. By the former, we acquired all the rights which France had to Louisiana "*to the extent it now has* (1803) *in the hands of Spain, and that it had when France possessed it, and such as it should be after the treaties subsequently entered into by Spain and other States.*" By the latter, his Catholic Majesty "*ceded to the United States all his rights, claims, and pretensions*" to the country lying west of the Rocky mountains, and north of a line drawn on the 42d parallel of latitude, from a point on the south bank of the Arkansas, in that parallel, to the South Sea; that is, to the whole region claimed by Spain west of those mountains, and north of that line.

The cession of Louisiana gave us undisputed title west of the Mississippi, extending to the summit of the Rocky mountains, and stretching south between that river and those mountains to the possessions of Spain, the line between which and ours was afterwards determined by the treaty of Florida. It also added much to the strength of our title to the region beyond the Rocky mountains, by restoring to us the important link of continuity westward to the Pacific, which had been surrendered by the treaty of 1763—as will be hereafter shown.

That continuity furnishes a just foundation for a claim of territory, in connexion with those of discovery and occupation, would seem unquestionable. It is admitted by all that neither of them is limited by the precise spot discovered or occupied. It is evident that, in order to make either available, it must extend at least some distance beyond that actually discovered or occupied; but how far, as an abstract question, is a matter of uncertainty. It is subject in each case to be influenced by a variety of considerations. In the case of an island, it has been usually maintained in practice to extend the claim of discovery or occupancy to the whole. So, likewise, in the case of a river, it has been usual to extend them to the entire region drained by it—more especially in cases of a discovery and settlement at the mouth; and emphatically so when accompanied by exploration of the river and region through which it flows. Such, it is believed, may be affirmed to be the opinion and practice in such cases since the discovery of this continent. How far the claim of continuity may extend in other cases, is less perfectly defined, and can be settled only by reference to the circumstances attending each. When this continent was first discovered, Spain claimed the whole, in virtue of the grant of the Pope; but a claim so extravagant and unreasonable was not acquiesced in by other countries, and could not be long maintained. Other nations, especially England and France, at an early period, contested her claim. They fitted out voyages of discovery, and made settlements on the eastern coasts of North America. They claimed for their settlements, usually, specific limits along the coasts or bays on which they were formed, and, generally, a region of corresponding width, extending across the entire concontinent to the Pacific ocean. Such was the character of the limits assigned by England in the charters which she granted to her former colonies, now the United States, when there were no special reasons for varying from it.

How strong she regarded her claim to the region conveyed by these charters, and extending westward of her settlements, the war between her and France, which was terminated by the treaty of Paris, 1763, furnishes a striking illustration. That great contest, which ended so gloriously for England, and effected so great and durable a change on this continent, commenced in a conflict between her claims and those of France, resting on her side on this very right of continuity, extending westward from her settlements to the Pacific ocean, and on the part of France on the same right, but extending to the region drained by the Mississippi and its waters, on the ground of settlement and exploration. Their respective claims, which led to the war, first clashed on the Ohio river, the waters of which the colonial charters, in their western extension, covered, but which France had been unquestionably the first to settle and explore. If the relative strength of these different claims may be tested by the result of that remarkable contest, that of continuity westward must be pronounced to be the stronger of the two. England has had at least the advantage of the result, and would seem to be foreclosed against contesting the principle—particularly as against us, who contributed so much to that result, and on whom that contest, and her example and pretensions, from the first settlement of our country, have contributed to impress it so deeply and indelibly.

But the treaty of 1763, which terminated that memorable and eventful struggle, yielded, as has been stated, the claims and all the chartered rights of the colonies beyond the Mississippi. The seventh article establishes that river as the permanent boundary between the possessions of Great Britain and France on this continent. So much as relates to the subject is in the following words: "*The confines between the dominions of his Britannic Majesty in that part of the world (the continent of America) shall be fixed irrevocably by a line drawn along the middle of the river Mississippi, from its source to the river Iberville; and from thence, by a line drawn along the middle of this river and the lakes Maurepas and Pontchartrain, to the sea,*" &c.

This important stipulation, which thus establishes the Mississippi as the line "*fixed irrevocably*" between the dominions of the two countries on this continent, in effect extinguishes in favor of France whatever claim Great Britain may have had to the region lying west of the Mississippi. It of course could not affect the rights of Spain—the only other nation which had any pretence of claim west of that river; but it prevented the right of continuity previously claimed by Great Britain from extending beyond it, and transferred it to France. The treaty of Louisiana restored and vested in the United States all the claims acquired by France and surrendered by Great Britain, under the provisions of that treaty, to the country west of the Mississippi, and, among others, the one in question. Certain it is that France had the same right of continuity, in virtue of her possession of Louisiana, and the extinguishment of the right of England, by the treaty of 1763, to the whole country west of the Rocky mountains, and lying west of Louisiana, as against Spain, which England had to the country westward of the Alleghany mountains, as against France—with this difference, that Spain had nothing to oppose to the claim of France, at the time, but the right of discovery; and even that, England has since denied: while France had opposed to the right of England, in her case, that of discovery, exploration, and settlement. It is, therefore, not at all surprising that France should claim the country west of the Rocky mountains, (as may be inferred from her maps,) on the 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 rights 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 1528, and ending with that under Galiano and Valdes in 1792, were undertaken by her authority, along the northwestern coast of North America. That they discovered and explored not only the entire coast of what is now called the Oregon Territory, but still further north, is a fact too well established to be controverted 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 been already 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 discoveries of Captain Gray, places our right to the discovery of 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 rests, it will now be necessary to turn back to the time 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. Prevost, 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 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 subject 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 effect the claims of any other power or State to any part of the said country; the only object of the high contracting parties, in that respect, being to prevent disputes and differences amongst themselves.

The two acts, the restoration of our possession and the signature of the convention, were nearly contemporaneous—the latter taking place but fourteen days subsequently 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 manner affect the claims which either of the contracting parties may have to any part of the country westward of the Stony or Rocky mountains.*" 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 vigor 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.