

admitting to an equal participation of it a party of more doubtful claims. This Convention has now been in operation for nearly nineteen years, during which time by far the greater portion of the emigration from the United States to the Oregon Territory has taken place. And yet, by the terms of its provisions, and the conceded constructions which have been given to them, the United States can urge no claims to the country, by reason of these intermediate settlements by her people. In this position the United States will continue to exist, so long as the Treaty of Joint Occupancy is permitted to remain in force. It is well understood to be the settled Law of Nations, and, indeed, admitted, even by the American Secretary of State, (Mr. Buchanan,) in his correspondence with the British Minister, that mere Discovery and Exploration alone, of a wild and uncultivated country, will not, of itself, give an absolute right. It must be followed by a settlement and occupancy by at least a portion of the people of the country which discovered it. What acts amount to settlement and occupancy, are questions upon which statesmen may differ. That such settlements have been made, both by Spain, from whom the United States derived their title in part, and also by the United States themselves, would seem to be quite clear. But if this were not so, your committee cannot doubt that the tide of emigration which has flowed to that country from the United States, within the last nineteen or twenty years, in connection with antecedent settlements and explorations, would at this day, have placed the United States upon grounds of precedence over Great Britain, from which she would have found it difficult to be relieved. But by the operation of this Convention, no such advantages can be claimed by the United States; because, by its terms, they are to enure to the common benefit of both countries. With a tide of emigration so constantly and steadily flowing from the United States to the Oregon Territory, we might reasonably have expected to have obtained a foot hold there, which no nation on earth could have impaired. It would have become a source of power, from which the American title would have grown more and more impregnable, as time rolled on. As matters now stand, the United States may send colony after colony to that country, and yet derive no additional strength to their title. Such colonization may, it is true, give them additional power, but it will be power, of which, *by right*, they can take no advantage; because, by solemn Treaty, they have stipulated that such colonization shall be considered as the joint occupancy of the two countries. By Great Britain, whose title was weak and doubtful, and who, it may be supposed, was not then prepared to colonize the country, such stipulations may have been regarded with more than ordinary favor; but your committee have not discovered in what manner they could have been expected to become beneficial to the United States.

Your committee do not think that the termination of the convention by the United States will furnish any just ground of complaint to Great Britain. The usual provisions to be found in most