

W. F. Dancy

The North Carolina Standard.

PUBLISHED WEEKLY, BY
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EDITOR AND PROPRIETOR.

THE CONSTITUTION AND THE UNION OF THE STATES—THEY MUST BE PRESERVED.

Raleigh, N. C., Wednesday, March 11, 1846.

VOLUME XII.—NUMBER 52.
TERMS—\$5 PER ANNUM,
PAYABLE IN ADVANCE.

TERMS.

THE NORTH CAROLINA STANDARD

IS PUBLISHED WEEKLY, AT
THREE DOLLARS PER ANNUM—IN ADVANCE.
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SPEECH OF MR. CLARKE, OF NORTH CAROLINA,In the House of Representatives, February 6, 1846—On the resolution authorizing the President to give the notice for the termination of the joint occupancy of the Oregon territory.

[CONCLUDED]

But, sir, even among those who are agreed as to our right to the whole of Oregon, there is a diversity of opinion as to the best manner of asserting and securing our rights there. Whilst one portion of its friends are decid'd in the opinion that we should come boldly out—declare our claims before the world and prepare to defend it if necessary with the strong might of the country's arm—there is another portion who are for leaving it to time and emigration quietly and peacefully to effect the same result. It appears to me that time and emigration have been looked to long enough to adjudge and decide this matter. Twenty-five or thirty years ago, this same matter was left to the arbitration of time, and it may be asked, what is now the state of the case? Why, sir, we are now further from a decision of it than when it was first submitted to that tribunal. The two governments are actually getting further and further apart all the while in their efforts to bring about a satisfactory adjustment of that matter. And pray, sir, what has emigration done all the while? It has been tardy and inefficient, and is now altogether hopeless. It is true, that there are now in Oregon some seven thousand Americans, but the time when these seven thousand people went there is an important inquiry in this connection. I would ask, if it be not true that they have nearly or quite all of them gone there since the spring of 1844, when the democratic party in convention at Baltimore declared our title to the whole of Oregon? and if it be not true, that yet a larger portion of these have gone there since the people of this country, in the great popular election of 1844, ratified and confirmed this declaration? Mr. Greenhow states, in his History of Oregon, that so late as the fall of 1843 there were but four hundred Americans in the whole territory. These, then, are the assurances that have carried them there—assurances that the country was ours, that it was to be taken under our own dominion, and that they would be protected by our laws. But, sir, now, to give the notice, and thereby manifest a distrust of our title, or a backwardness in adopting measures to maintain it, and you will not only, in my opinion, effectually arrest emigration thither, but that thousands of those who have already gone there will return to the States. Or if emigration shall be continued, it will be limited entirely to the south of the Columbia, and thus will give to Great Britain all that she desires. I must confess, that I have no confidence in the wonder-working effects of "inactivity," whether it be called wisely and masterly, or stupid and bungling. It never has done anything either for nations or for individuals. Activity is the main spring of success and prosperity in all our undertakings. According to the gentleman from South Carolina, [Mr. Rhett,] our revolutionary fathers tried both, and the result of their experiment is a glorious commentary upon the superiority of determination—of firmness, of activity. We are told by him that they endured for ten years the hardships, and oppressions, and exactions of the mother country, before they took up arms to redress themselves; and we are admonished to imitate their patient forbearance. But what did this forbearance effect for them? Inactivity, but brought upon them an accumulation of wrongs, an increase of exactions, and an addition of hardships. It was activity—a firm and open avowal of their rights, and a determined effort to maintain them—that worked out a vindication of their rights, and a redress of all their grievances. Let us imitate them in their last resolve—let us declare our right not merely to establish forts and post-roads, but our right to the territory, to the soil—and by the time we need them, we shall have fifty thousand people in Oregon. Instead of seven thousand men, women and children, we shall have twice that number of fighting-men—men of nerve and skill in the use of the deadly rifle—ready and on the spot to defend their homes and their firesides. But those gentlemen who promise to get for us the whole of Oregon if we will not pass the notice, tell us that their plan will not lead to war. Theirs is the pacific policy, if we would trust to their skill in prophecy. But let us analyze their plan and see how it is to work in practice. They, like us, advocate our rights to the whole, and that we shall take possession of it, or encourage our people to do so.

can serve upon her, and tell her of our determination to appropriate the whole country? And if she is determined to retain any portion of it, will she not prepare to do it at once, at the point of the bayonet and the cannon's mouth? To expect anything else, is to calculate largely upon the blindness or tame submission of that haughty power. The gentlemen appear, themselves, to have some apprehension after all that their plan may not work so peacefully and quietly; and they attempt to prepare and reconcile us to the war which their plan may bring about by telling us that it will make Great Britain the aggressor; and they amplify most eloquently upon the manifold advantages of being in the defensive. I am willing to admit that there are great and manifest advantages in being on the defensive in any controversy, whether it be of a warlike or other character. But it would seem to me that no war will possibly grow out of this question in which Great Britain will not necessarily and unavoidably be the aggressive party. Even if the notice is given, and war should ensue, she must begin it. All will admit that we can populate that country more rapidly than she can. The gentleman who proposes to get a whole country, if the notice be not given, count largely if not entirely on our superior advantages for colonizing that country. So long, therefore, as we can do that, and thereby secure by our majorities the control of the country, what more do we ask? What is there to fight for? Nothing, certainly, on our part. Our position would give us every advantage. So far, therefore, as the question of war is concerned, the practical results of both plans would seem to me to be the same. The one may bring it on a little more speedily than the other, war is as likely to follow the one as the other, and in either case Great Britain must begin it.

I am, therefore, in favor of the notice, because I believe that there is a disposition on the part of almost every member of this House to take possession of some portion of that territory—to encourage our citizens to emigrate there, and to make permanent and exclusive settlements, and to extend our laws and institutions over them. This cannot be done, in my estimation, consistently with subsisting treaty stipulations, until after the notice is given and the treaty abrogated. The notice is the only way in which we can in proper faith rid ourselves of our obligations to Great Britain. And this course is as necessary for those who think our claim does not extend beyond the 49 deg. as for those who would be satisfied with nothing less than the whole. For the subjects of Great Britain have the rights of ingress and egress and of trade into every portion of the territory—to the south as well as to the north of the Columbia. To curtail or destroy these privileges by any measures which shall operate either directly or remotely to produce such a result, cannot justly be done without first putting an end to the treaty of 1827. And I very much doubt whether we shall be able to get the signature of the President to any laws, the immediate or remote effect of which would be to exclude Great Britain from any portion of the country until the notice has been first given. Treaties, when once concluded, are invested by the constitution of the United States with the force and name of laws, and by that same instrument the President is bound by his oath to see that the laws are faithfully executed—faithfully is the word—according to their direction, their spirit, their letter, and in no other way.

Again: I am for the notice, because, if we are to take exclusive possession of any portion of the territory, to proceed with the notice is more open and above board. For us to attempt secretly to get possession of the country, would carry with it the appearance of an effort to deceive—an attempt secretly to undermine, which could really deceive no one, and which is equally against good faith and fair dealing. Our country should always remember to fulfill, with scrupulous exactness, all her obligations—her contracts—all the pledges of her faith, whether they relate to the payment of money, to territorial rights, or to commercial privileges. To keep them to the promise and to break them in act and in deed, is unbecomingly our frank, our manly character, as a people. To proclaim the inviolability of treaties at the same time that we are secretly and sneakily seeking to empower ourselves to violate them with personal impunity, if I may so speak of a government, is very near akin to that faith which has been ingloriously immortalized as *punica fides*—Judas-like, it salutes with a kiss that it may the more completely deceive and betray.

Again: I am in favor of the notice, because I believe that the giving of it now holds out the only plausible means of preventing a war between the two countries. The postponement of the notice from 1827 to this time has increased and multiplied the difficulties with which the controversy was originally surrounded. And it is difficult to see what else could have been anticipated. For the interests of Great Britain have been and are now daily increasing in extent and permanency, making all the while stronger and stronger appeals to her pride and avarice to maintain them. At first, she had but the moving tent and the temporary stockade. Now, she has the permanent dwelling and the bustling fortifications. At first, she had but the roaming hunter, as wild and unscathed as the game he pursued. Now, she has the fixed agriculturist and the settled farmer. In a few years this population will be doubled, adding constantly and daily to the difficulties of a satisfactory and peaceable adjustment. Never was the application of that holy injunction, "to agree with their adversary quickly, whilst thou art in the way with him," more appropriate and pressing than it is in relation to this present controversy. Let us profit by it. The notice is all-important as leading irresistibly to a settlement of this matter in some way.

There is still another consideration influencing my mind in favor of the notice, growing out of the history of this Oregon question. In 1818 this question was brought up for negotiation and compromise; and so intimately connected with the peace of the two countries was it then regarded, that its agitation was attended with the most injurious effects upon the commerce, upon the credit, and indeed upon all the various pursuits and interests of our people. In 1827, its agitation was again attended with the same disastrous results. Now, again, for the third time, has it been brought up for renewed discussion in the year 1846; and if we are to credit those who profess to understand such matters, it has again excited its galvanic effect upon all the best interests of the country. Postpone it now, and some eight or ten years from this time, if not sooner, it must again come up with all its usual concomitants of panics and depressions. Is it not the part of wisdom to put an end to such a state of things? Do we not owe it to ourselves, and to those who come after us, to arrest this political earthquake, which at intervals has given a shock to all that is valuable in society?

Mr. Chairman, as something has been said about leaders in this matter, and as the gentleman from Massachusetts [Mr. Adams] has been held up before the country as the leader of those who are in favor of the notice, I will beg the indulgence of the committee whilst I make a few remarks in relation to that matter. I will take occasion to say, that in giving my vote for the notice, I shall follow the lead of no man—the lead neither of the illustrious gentleman from Massachusetts, nor yet of the honorable member from Virginia, [Mr. Bayly.] I know no lead, and I shall follow no lead but that of my constituents. Whichever way they direct in a matter of so much importance to their peace, thither I go cheerfully and promptly. But, sir, if the gentleman from Massachusetts happens to coincide with me in opinion upon this or any other subject, I shall most certainly not change my views on that account merely. To do so, would be to put my political principles entirely in his keeping, to be controlled and directed as he might think proper. He would only have to affect to be on one side, in order to drive me into that very position into which, above all others, he would most desire to place me. Again: I would ask with what propriety can it be said that the honorable member from Massachusetts is the leader of all those who are in favor of the notice? I had thought that the democratic party was the leader in this matter. I had thought that their delegates in convention had declared our title to the whole of Oregon. I thought it formed a part of the declaration with which we entered the political struggle of 1844, in which we were opposed and resisted by the gentleman from Massachusetts, and by those who usually act with him. And now, after the gentleman, with all his might and main, resisted the election of the only candidate that was publicly pledged to the maintenance of our rights in Oregon, he is to be held up as the leader of all those who advocate the notice. It will not do. Gentlemen will fail in their object. They ought to know, and do know, that the democratic party have adopted their principles, not from a spirit of opposition to others, but because of their connection with the prosperity and glory of our common country. By such an intimation, the honorable gentleman deprecates the moral influence of the political principles by which they have, for some time past, professed to have been governed.