

over Delaware Bay, Chesapeake Bay, and similar waters. As the entrance to Hudson's Bay is about sixty miles in width at the narrowest point, the Bay by this rule would be open sea, and the Government of Canada could exercise no control over it beyond the three mile limit.

Evidently, therefore, there must be some other and wider principle upon which the claim to jurisdiction over land-locked waters by the Power owning the coast surrounding them must be founded than the precise width of the entering channel.

In the Conception Bay case this was found in the undisputed sovereignty exercised for many years by the British Government. In a case arising from the seizure of a ship in Delaware Bay the entrance to which is more than six miles in width, the United States Courts held the seizure to be illegal as the waters of the bay were neutral, the shores on both sides being part of the territory of the United States. Great as is the extent of Hudson's Bay it is as completely a "British Sea" as was the Black Sea a Turkish Sea before the Russians obtained a share in its coasts; and wide as is the channel leading into it, it is in no sense a highway of nations, or a road for commerce, as are the Dardanelles, the straits of Gibraltar, or the Sound leading to the Baltic. It is not so now, and nature forbids it ever becoming so. Closing the Hudson's straits would be no hindrance to commerce, or inconvenience to travel. It would be a matter of as purely domestic concern as would be the closing of the channels leading from Lake Huron to the Georgian Bay. The width of the straits, therefore, no more affects British rights in Hudson's Bay than does the width of the mouth of Chesapeake or Delaware Bays effect the rights which the Government of the United States claims in those by no means land-locked waters.

If upon grounds of public policy so clear as to command general assent a sheet of water such as Hudson's Bay ought to be under the exclusive power of the country possessing its shores, the fact of the width of the inlet would be of no consequence whether it was six miles or sixty. It might be for the public convenience that the Power absolutely controlling the whole coast and three miles of sea outside it—in whose hands would be the lighting, pilotage, harbours, and everything in connection with navigation, and without whose consent no vessel could land or seek for shelter—