

Submit it for example to the consideration of some body of jurists of eminence and character; to the "courts of cassation" of France, the ultimate law court of appeals of the French empire; to the faculties of law of Heidelberg or Berlin, rather than to any sovereign, or potentate, or president, who may be governed by ideas of what is politic, or of what is "equitable." Such a reference would be, it is true, a novelty in the affairs of nations; but we have a parallel in the jurisdiction of our own Supreme Court. One hears there, as the great French jurist de Tocqueville remarked with admiration, the cause called (for example) of the State of Massachusetts *vs.* the State of New York. Why not, then, in a case like this, of the interpretation of a treaty, or, as in that of the Alabama claims, one of the interpretation of international obligation, submit it to such courts? Our own Supreme Court might, in like manner, be the arbiter between other nations.

Whether or not the court of cassation would assume this office, of course I do not know; I merely present the suggestion; but if it did, its intervention would elevate the consideration of the great courts of justice throughout the civilized world, and would lessen the danger of wars, springing from the uncertainty of diplomatic controversy, and from the interests or prejudices of rulers.

So far as the Northern Pacific railroad is concerned, one of its western termini must ultimately be on Puget sound, and it will never do to leave it entirely under British guns. More than that, the command of the sound involves that of the Columbia river, for two days' march from its head would carry a hostile force to the mouth of the Cowlitz, with no possible obstruction, except such an interior line of forts as the government never would consent to keep up, and the population of the country would not justify. It is far better even to leave the island as it stands, in joint occupation, until we are ready to take it.

I have said nothing on the importance of the route of the Northern Pacific railroad, that must speak for itself. Its completion is the conquest of British America. What is called "the fertile belt," the country of the Saskatchewan and the Red River of the North, becomes *ex necessitate rei* an appanage of the United States by its construction. Its eastern terminus is of course the city of New York, which thenceforth supersedes London as the commercial capital of the world.

I am, very respectfully, your obedient servant,

GEORGE GIBBS.

Hon. J. GREGORY SMITH.

566 NEW JERSEY AVENUE, WASHINGTON,
February, 4, 1869.

DEAR SIR: It gives me pleasure to state, in reply to your letter, that any information in regard to the islands near our northwest boundary in my possession is at your service.

In our conversation a few evenings ago I called attention to the importance of the islands between Vancouver island and the main-land as an offset in a strategical point of view to the southern portion of Vancouver island, which, it is to be regretted, was not placed within our territory by extending the 49th parallel across to the Pacific ocean. This parallel of north latitude extended west from the gulf of Georgia would have given us one-quarter of Vancouver island, and on the Pacific shore, as it crosses the northern part of Barclay sound, we would have been in possession of its harbors, as well as those south and east of it on the