

in the contiguous by necessity territorial dominion the water forms the boundary line. and "to-morrow of no one does not go to e and sovereign those territories may possess it. of right in one

case of the St. great lakes, one been believed the Ohio. This the form of a Washington and It was then of the western ch a measure at might be so ex- in our borders, mmerce, would be navigable by distance above sure, when she cially dried up, s destroyed by

natural result of rk but little in- ignuous to New ts outlet would little affected, lakes would re- late in, and be without force, its navigation. for a thousand which lies en- United States any nation can mit such con- its waters into might behold als, rocks, and state of things; asses over the ted by impass- ainly in Lake rely sufficient

for the passage of our largest vessels. Here is one of the strongest cases to be put for asserting the doctrine of absolute sovereignty over navigable waters connecting with the ocean. It is not the case of a river, but a large inland sea, 340 miles long, and averaging 58 miles in width, and lying entirely within our own country. The United States have not yet claimed the right thus to drain its waters and destroy or impair the navigation of the St. Lawrence; but it implies no greater sovereignty on our part than that which Great Britain claims over that river, and one case has been supposed to illustrate the other, and to show that there can be no such right as that of *absolute* control over the mouth of a navigable river emptying into the ocean, as against a nation occupying the same river above.

Another argument may be adduced in favor of the claim of the United States, based upon the *joint acquisition* of the St. Lawrence by Great Britain and her American colonies, as the result of the war with France, followed by the treaty of 1763, which gave the Canadas to England. In that war, many of the colonies, now States of this Union, "well bore their part," and contributed not a little in accomplishing its results. From that time to the Revolution they enjoyed freely its navigation, and none can question their right during this period. But they claimed it then as *colonies*; and should they, by revolutionizing and erecting themselves into independent States and sovereignties, possess less right of navigation than before? Would it not be more reasonable to suppose that their transition from a state of colonial vassalage to one of national sovereignty would enlarge, if possible, or at least not diminish, and even destroy, their former right?

We are now brought to a consideration of the last, and perhaps the strongest, argument in favor of the American claim—that of *commercial necessity*. This argument has its origin in no temporary or artificial causes, which it is in our power to remove, but springs from that difference of geographical position to which, from the nature of things, nations must forever be subject. "The unerring counsels of nature" have led our people to the shores of the great lakes, and pointed them out as sources and parts of a great navigable highway to the ocean. Circumstances connected with the recent and wonderful growth of our country, and especially of that section which borders upon this highway, now point to its use, not merely as a convenience, but necessity. This argument presents us with a view of the trade and commerce which now seek access to the markets of the world through this channel, and invites us to estimate them, if possible, for the future. It pictures to us the valley of the lakes as it is, and is to be.

This valley contains a lake coast of about 5,000 miles, of which nearly three thousand belong to the United States. Lakes Ontario, Erie, Huron, Michigan and Superior, not including the straits and channels by which they are connected, form a continuous body of water 1,450 miles in length and averaging 61 miles in width. But few countries *can*, none but our own *does*, contain such a field for inland commerce. Its commercial importance is best exhibited by the wonderful development of population and wealth which have so suddenly accumulated upon its shores. History has never before recorded a more wonderful story in the settlement of the world than that which tells of the birth and growth of this Northwestern valley. The general settlement of our country has surpassed the most sanguine expectations; but that has been the work of centuries, whilst