

State, not only to regulate and to limit its commercial intercourse with others, but even, as occasion may require, to suspend or to withhold it altogether?

If ever there was a case, which particularly imposed on a sovereign the indispensable duty of maintaining this right unimpaired, even with every disposition to consult the convenience and fair advantage of friendly nations, it is the present unqualified demand of the United States.

It cannot be necessary to enumerate the various circumstances which make this claim peculiarly objectionable; but there is no concealing, that, besides the ordinary considerations of territorial protection, those of commercial interest and colonial policy are alike involved in the demand of a free, gratuitous, unlimited right of passage for American citizens, with their vessels and merchandise, from one end of Canada to the other.

Interests of such high national importance are not to be put in competition with the claims of justice; but when justice is clearly on their side, they have a right to be heard, and cannot be denied their full weight. That the right is, in this instance, undoubtedly on the side of Great Britain, a moment's reflection on the preceding argument will suffice to establish.

It has been shewn that the independent right asserted by the United States, is inconsistent with the dominion, paramount sovereignty, and exclusive possession, of Great Britain.

It has been proved, by reference to the most esteemed authorities on the law of nations, with respect as well to the general principle as to the opinions distinctly given on this point, that the right of sovereignty and exclusive possession extends over rivers, in common with the territory through which they flow.

The same principles and the same opinions have been cited to prove that those parts of the river St Lawrence which flow exclusively through the British dominions, form no exception to the general doctrine so applied to rivers.

The existence of any necessity calculated to give the United States, in this case, a special right, in contradiction to the general rule, has been distinctly denied, and the denial conclusively supported by a reference to known facts.

With no disposition to contest such imperfect claims and moral obligations, as are consistent with the paramount rights of sovereignty and exclusive possession, it has been proved, from the authorities already quoted, that of those imperfect claims and moral obligations, the territorial sovereign is the judge.

The title of the United States, as derived from previous enjoyment at the time when they formed part of the British empire, has been shewn to have ceased with the conclusion of that treaty by which Great Britain recognized them in the new character of an independent nation.

It has also been shown, that, while the American Government acknowledges that their claim is now brought forward for the first time,