gerous controversy, and to have re-established, on a consistent and logical foundation, one important principle of International Law.

NOTE.

THE Oregon question, as it subsists at present between the United States and Great Britain, has been discussed above solely upon the footing of the general principles of the Law of Nations, and without allusion to the provisions of any express treaty on the subject. Great Britain, it is well known, has entered into three treaties respecting it; viz. the treaty of 1790 with Spain, and the two treaties of 1818 and 1827 with the United States. But neither of these introduced any modification of the actual rights of the two contracting parties as they might ultimately be agreed (and as we have, in the preceding pages, ascertained them) really to be. The rights of the two governments were to remain precisely as they were at Common Law, (if the phrase may be allowed); the only effect they had, or were intended to have, being, to waive or suspend for a time the assertion (on the part of Spain in the one case, and of the United States in the other) of certain *overriding pretensions* which Great Britain refused to admit, and of which we have been occupied in these pages in demonstrating the illegality: the arrangement for the meanwhile being by consent precisely that for which Great Britain had uniformly contended; viz. that the disputed territory should be open to the enterprise of both nations, and of course of all the rest of the world, consistently with the principle that res nullius cedit primo *occupanti*. Ever since the conclusion of the last of these treaties, this principle has been in active operation, and is now near the accomplishment of its work. Between British and American settlers the country is at last actually *Occupied;* and the last duty now to be performed is to trace the line of demarcation between what is occupied by subjects of Great Britain and what by citizens of the United States.

FINIS.