

I therefore proceeded by myself to perform the examinations and explorations necessary for fully ascertaining the true position originally intended and described, by the British Government, for the southern boundary line of the Province of Quebec, and also to find out and procure, where it was possible, such documentary authorities as would serve to explain or sustain the positions which should be ultimately adopted.

In these explorations and researches I was remarkably successful.

The natural features of the country were found to be so strongly marked, particularly in the vicinity of the Baie des Chaleurs, that no doubt could reasonably exist as to the local application of the terms used in the original descriptions of the southern boundary of Canada, and the result shows that New Brunswick, so far from being entitled to claim any additional territory from Canada, is now actually in possession of about 2,310,000 acres of territory, *unquestionably Canadian*, lying to the south of the Ristigouche river, and east of the prolongation of the due north line, forming the western limit of New Brunswick.

In the large mass of documentary authority having relation to the questions under consideration, it is a curious fact, that such authority has, in every case, been found favorable to the claims of Canada, and, of course, unfavorable to the pretensions of New Brunswick; and it will be seen that most of the positions alleged, or attempted to be sustained, on the part of the latter Province, adverse to the claims of Canada, have been confuted and completely disproved by authorities derived from documents forming parts of the public records of the same Province.

The difficulties which have hitherto been encountered in attempting to decide upon the positions of *separate parts* of this boundary, have mostly arisen from the very circumstance that such parts were taken *disjunctly* instead of being considered in relation to the whole line from the Baie des Chaleurs to the sources of the Connecticut river, as originally defined.

This was particularly felt in discussing the claims formerly maintained by the United States for territory immediately to the west of New Brunswick and adjoining a portion of the southern boundary of Canada.

The description of that portion of the boundary which is given in the treaty of 1763, and on which the American claims were founded, when taken by itself would fairly admit of the interpretation put upon it by that government, although not susceptible of such an interpretation if considered in connection with the previously defined lines of separation between the adjacent British Provinces, which were specially referred to and recognized in the same treaty.

But leaving this most improper and *imperfect* mode of dealing with the question, by arguments drawn from detached portions of the said description, (which, I regret to observe, has been adopted and tenaciously insisted upon on the part of New Brunswick,) and recurring to the facts brought under consideration in the accompanying Report, the conclusion is inevitable, that no difficulty whatever can possibly be met with in tracing the residue of the southern boundary of Canada, on which the northern line of New Brunswick is entirely dependent, according to the descriptions of the *whole* of the southern boundary of the former Province of Quebec, given under the authority of the British government in 1763 and 1774.

I have the honor to be,  
Sir,  
Your most obedient and  
Very humble servant,  
A. WELLS.

J. M. HIGGINSON, Esquire,  
Civil Secretary, &c. &c.

## No. 2.

*Statement in relation to the Unsettled Boundary between the Provinces of Canada and New Brunswick.*

The western and northerly boundaries of New Brunswick, as fixed by the Royal Authority, are described in the Commissions of the Governors of that Province as follows, viz:—

“ Bounded on the westward by the mouth of the river Saint Croix, by the said river to its source, and by a line drawn due north from thence to the southern boundary of our Province of Quebec, to the northward by the said boundary as far as the western extremity of the Baie des Chaleurs.”

All descriptions of the same boundaries inserted in the Commissions of the Governors of Nova Scotia, from the year 1763, up to the period when New Brunswick was severed from that Province and erected into a separate government, are in nearly the same terms and are precisely identical in their construction with the description above recited.\*

The southern boundary of the Province of Quebec, (now Canada,) as referred to in the foregoing description, is described in a Royal Proclamation of 1763 as follows, viz:—

“ From whence, (the south end of lake Nipissim) the said line crossing the river Saint Lawrence and the Lake Champlain in 45 degrees of north latitude, passes along the highlands which divide the rivers that empty themselves into the said river Saint Lawrence from those which fall into the sea, and also along the north coast of the Baie des Chaleurs and the coast of the gulf of Saint Lawrence to Cape Rosier.”

The same boundary is again described in the imperial Act of 14 George III—commonly called the Quebec Act, in the following terms, viz:—

“ Founded on the south by a line from the Baie des Chaleurs, along the highlands which divide the rivers that empty themselves into the river Saint Lawrence, from those which fall into the sea, to a point in 45 degrees of northern latitude, on the eastern bank of the river Connecticut, keeping the said latitude directly west through Lake Champlain, until in the same latitude it meets the Saint Lawrence.”

Descriptions of this boundary, similar to the foregoing, are also contained in the Commissions of the Governors of Canada.

The western boundary of New Brunswick, formed by the river Saint Croix to its source, and thence by a due north line to the southern limits of Canada, was explored so far back as the years 1817 and 1818, and a line was then traced on a north course from the

\* In the Commission to Montague Welmot, esquire, appointing him Governor in Chief over the Province of Nova Scotia, dated 21st November, 1763, the boundaries in question are thus described:—

“ To the northward our said Province shall be bounded by the southern boundary of our Province of Quebec, as far as the western extremity of the Baie des Chaleurs; to the eastward by the said bay and the gulf of Saint Lawrence, &c., and to the westward, although our said Province hath anciently extended and doth of right extend, as far as the river Pentagoet or Penobscot, it shall be bounded by a line drawn from Cape Sable across the entrance of the Bay of Fundy to the mouth of the river Saint Croix, by the said river to its source and by a line drawn due north from thence to the southern boundary of our colony of Quebec.”