

springing from the mountainous chain which runs between the Connecticut and the Hudson River, and that these branches separate near the parallel of forty-four degrees north latitude. *The southern branch*, it has been seen, gives rise to the north-westernmost head of Connecticut River; and continuing its course from the heads of that river in a north-easterly direction, actually separates the St. Francis and the Chaudière, the *only* rivers which empty themselves into the St. Lawrence, from the *only* rivers which fall into the Atlantic Ocean, viz., the *Androscoggin, the Kennebec, and the Penobscot*.

The southern branch continuing to head all the branches of the Penobscot across the whole breadth of the disputed territory, would, when reaching the due north line, fulfil in the most accurate manner the requirements of the Treaty. Wherever the *due north line* strikes the edge of this branch of the "Highlands" of the country, there would be the point of locality of the north-west angle of Nova Scotia mentioned in the Treaty. But the *northern branch*, which, on separating from the southern one, takes a course a little east of north, *leaves the north-westernmost head of Connecticut River from forty to fifty miles to the south*. This circumstance of itself is conclusive; for if this ridge had been (what it is not) continuous as far as the *due north line*, and if it had separated rivers flowing in opposite directions (which it does not), yet the simple fact of its having no connection with the "Highlands" where the Connecticut River takes its rise, and of its passing at a distance of from forty to fifty miles north, away from the sources of that river, would deprive it of all reasonable pretension to be the "Highlands" intended by the Treaty of 1783.

It now becomes our duty to lay before your Lordship an explanation of the manner in which it has been heretofore attempted by some of the official American Agents, to give to their so-called line of Highlands the character which the language of the II<sup>nd</sup> Article of the Treaty of 1783 requires that the "Highlands" of the Treaty should actually possess. Your Lordship will see in these details, that it has been apparently the policy of the parties in question to substitute fancy for reality, and to endeavour to boldly put forward as fact a state of things which was for the most part hypothetical and conjectural, in order to draw away the attention of the public in both hemispheres, from the real merits of the British claim, and to transfer it to their own spurious topography; and that it is by this expedient that they have so far succeeded in giving to a large territory, rightfully belonging to Her Majesty, a character of doubtful ownership, under cover of which, the increasing population of the State of Maine has been able to insinuate itself into various important points of the disputed territory, with the object, at length openly avowed, of taking possession of the whole country, as far as the crest which over-looks the River Saint Lawrence, from the point opposite to Quebec, as far as the Metis River.

The official documents, in which the expedients we have here alluded to, are worked out, are too voluminous to be quoted at length in this Report; but they are to be found annexed to the "First Statement on the part of Great Britain;" referring to which, we shall merely give an abstract, descriptive of their character.

In an extract from the British Commissioners' Report, at p. 148 of the "First Statement," &c., it appears that the Surveyors of the two Governments were directed by the joint Commissioners to "proceed upon an exploring survey, upon a line due north from the lake at the source of the River St. Croix, until they should arrive at some one of the streams or waters which are connected with the River St. Lawrence."

It is alleged in the British Commissioners' Report that this direction "was framed and inserted in the draft of the original instructions to the Surveyors, by the *Agent of the United States*, and this fact is not denied by him."

The sanctioning of this instruction was no doubt indiscreet on the part of the British Commissioner. The terms of the Treaty were not ambiguous; they enjoined the parties to run the due north line to the *Highlands*, and not to STREAMS RUNNING INTO THE SAINT LAWRENCE. By a just interpretation of the Treaty, it was manifest that the Saint Lawrence Rivers, there intended, were the St. Francis and the Chaudière; and not any of those *minor streams* which alone can be reached by a *due north line* drawn from the source of the St. Croix; but the joint instruction to the Surveyors to carry the due north line to the waters of the Saint Lawrence, was virtually a direction to extend the line to the Metis; and hence, the inadvertent concurrence of the British Com-

The American Highlands do not run to the head-waters of the Connecticut River.

Spurious topography presented by American surveyors.

Of which the proofs are to be found in the First Statement on the part of Great Britain, p. 148.