

"My dear Lord Aberdeen,

"46, Grosvenor Place, 30th November, 1843.

Statement.

"It appears from Mr. Gallatin's correspondence that . . . Mr. Huskisson had especially objected to the extension of the 49th degree to the Pacific, on the ground that it would cut off the southern extremity of Quadra and Vancouver's Island. My suggestion yesterday would obviate this objection. . . . *A glance at the map shows its importance as a modification of the 49th degree.* . . .

'EDWARD EVERETT.'

"On the 2nd of February and on the 1st of April, 1844, Mr. Everett reports that he continuously insisted with Lord Aberdeen that the only modification which the United States could, in his opinion, be brought to agree to, was that they should waive their claim to the southern extremity of Vancouver's Island, and that Lord Aberdeen uniformly answered 'he did not think there would be much difficulty in settling the question.'

"During the following months Mr. Everett and Lord Aberdeen, both wishing sincerely to settle the controversy, had further frequent conversations, and, as the result of them all, Mr. Everett reported that England would not accept the naked parallel of 49° to the ocean, but would consent to the line of the 49th degree, provided it could be so modified as to leave to Great Britain the southern extremity of Vancouver Island. 'I have spared no pains,' wrote Mr. Everett on the 28th of February, 1845, 'to impress upon Lord Aberdeen's mind the persuasion that the utmost which the United States can concede is the 49th parallel with the modification suggested, taking always care to add that I had no authority for saying that even that modification would be agreed to.'

"To one fact I particularly invoke the attention of the Imperial Arbitrator; not the least room for doubt was left by Mr. Everett with regard to the extent of the modification proposed. *He had pointed it out to Lord Aberdeen on the map, and had so often and so carefully directed his attention to it, that there could be no misapprehension on the limit of the proposed concession.*"

It is difficult to see the force of this reference from the letter of Mr. MacLane to the writings and acts of Mr. Everett. It seems to Her Majesty's Government to be a process of ascertaining a thing uncertain in itself by means of something still more uncertain. It does not appear that Mr. Everett pointed out on a map, or referred in any manner to, the Canal de Haro; yet this is the whole question. The fair inference from Mr. Everett's statements is that he did not speak of the water boundary at all, but only pointed out on a map how much of Vancouver's Island would be cut off by the 49th parallel. Mr. Bancroft appears to overstrain Mr. Everett's words. Mr. Everett says he "pointed out on a map the extent of the concession," as regards the southern extremity of Vancouver's Island; Mr. Bancroft says (page 19) Mr. Everett "had drawn the line of demarcation upon the map," which seems to be a very different thing. If this had been stated by Mr. Everett, and if it also appeared that the line of demarcation drawn by him on the map passed down the Canal de Haro, then Mr. Bancroft's inference that Lord Aberdeen was proposing a line through the Canal de Haro, from the fact that Mr. MacLane says that the line proposed by Lord Aberdeen had been suggested by Mr. Everett, would not be so remote or so weak as it is.

(ix.) The statements of Mr. MacLane to his own Government can in no way bind Her Majesty's Government. Mr. MacLane does not say that he did, and there is no evidence that he did, ever specify any channel in his conversations with Lord Aberdeen. There is no evidence that he ever told Lord Aberdeen what he was going to report to his Government. The presumption to be drawn from Lord Aberdeen's despatch of 29 June 1846, to Mr. Pakenham, is to the contrary.* Mr. MacLane's letter was not published even in the United States, until after the exchange of ratifications in London.* It could not, therefore, have reached Lord Aberdeen's knowledge before the transaction was closed.

(x.) Nor is there anything to affect Her Majesty's Government through Mr. Pakenham: There is no suggestion that Mr. Buchanan communicated to Mr. Pakenham

* Historical Note, p. xx.