

EXPLANATORY NOTE

Lord Ashburton to Mr. Webster

WASHINGTON, August 9, 1842.

SIR,—By the IIIrd (? 10th) Article of the Convention which I have this day signed with you, there is an agreement for the reciprocal delivery, in certain cases, of criminals fugitive from justice, but it becomes necessary that I should apprise you that this Article can have no legal effect within the Dominions of Great Britain until confirmed by Act of Parliament. It is possible that Parliament may not be in session before the exchange of ratifications of the Convention, but its sanction shall be asked at the earliest possible period, and no doubt can be entertained that it will be given. In Her Majesty's territories in Canada, where cases for acting under this Convention are likely to be of more frequent occurrence, the Governor General has sufficient power under the authority of local legislation, and the Convention will there be acted upon so soon as its ratification shall be known; but it becomes my duty to inform you of the short delay which may possibly intervene in giving full effect to it, where the confirmation by Parliament becomes necessary for its execution.

I beg, etc.,

ASHBURTON.

The Hon. DANIEL WEBSTER.

REPORT OF THE BRITISH AND UNITED STATES COMMISSIONERS, APPOINTED UNDER THE TREATY OF AUGUST 9, 1842, TO TRACE AND MARK THE BOUNDARY BETWEEN THE BRITISH POSSESSIONS IN NORTH AMERICA AND THE UNITED STATES (NEW BRUNSWICK AND STATE OF MAINE).—WASHINGTON, JUNE 28, 1847.

The Undersigned, Commissioners appointed under the Treaty of Washington, to trace and mark the boundary, as directed by that Treaty, between the British possessions in North America and The United States, that is to say:—James Bucknall Bucknall Estcourt, Lieutenant-Colonel in the British Army, appointed Commissioner by Her Britannic Majesty, and Albert Smith, appointed Commissioner by the President of The United States, having accomplished the duty assigned to them, do now, in accordance with the directions of the said Treaty, submit the following report, and the accompanying maps, jointly signed, to their respective Governments.

In obedience to the terms of the Treaty, they met at Bangor, in the State of Maine, on the 1st day of May, 1843, where they produced and verified the authority under which they each were respectively to act. They then adjourned, because the weather was not sufficiently open to take the field, to the 1st of the following month, June, and agreed to meet again at that time at Houlton.

Accordingly, they did meet at that place, and began their operations.

It may be desirable to state, at the outset that, for the sake of convenience, the whole line of boundary marked by the Undersigned has been divided, in the mention made of the different portions, into the following grand divisions, Viz:

North line, from the source of the St. Croix to the intersection of the St. John.

River St. John, from the intersection of the north line to the mouth of the St. Francis.

River St. Francis, from its mouth to the outlet of Lake Pohenagamook.

South-west line, from the outlet of Lake Pohenagamook to the north-west branch of the St. John.

South line, from the north-west branch to the parallel of latitude 46° 25' on the south-west branch.

South-west branch, from the parallel 46° 25' to its source.

Highlands, from the source of the south-west branch of the St. John to the source of Hall's stream.

Hall's stream, from its source to the intersection of the line of Valentine and Collins.

West line, from Hall's stream to the St. Lawrence, near St. Regis along the line of Valentine and Collins.

¹ From British & Foreign State Papers, Vol. 57, p. 823.