

as theirs was a war of principle and rights, not of conquest.

The most restricted claim of Great Britain was from the mouth of the River St. Croix; but doubts having arisen in 1794 as to what river was truly intended under the name of the River St. Croix, two Commissioners were appointed, Thomas Barclay, Esq., on the part of England, and David Howell, Esq., on the part of the United States, to carry into effect the fifth clause of the treaty made in that year; and Egbert Benson, Esq., a Judge of the Supreme Court of New York, was appointed an umpire by mutual agreement. The umpire determined that the River Schoodic was the true St. Croix.

But unfortunately a new difficulty soon presented itself, for, on ascending this river about 25 miles, two streams were met with, one from the west, running through the Schoodic Lakes, the other taking its source in Grand Lake. The American Commissioner contended that the latter branch of the St. Croix was that branch at whose head waters the point of departure was to be taken, whilst the Commissioner of Great Britain urged that the point of departure should be the westernmost branch of the St. Croix. After the expiration of two years, the umpire rejected the American claim.

This point once decided, it would seem that the functions of the two Commissioners had ceased, and all that remained to be performed was to place the Boundary Stone, indicating the point of departure of the head waters of the *westernmost* branch of the Schoodic River. *This was not done.*

But it appears certain that the point of departure was fixed at the highest waters of the *northernmost source* of the Schoodic River, and not the *westernmost*, and this *fatal error* gave rise to all the difficulties which for nearly