

tend ; but merely for the purpose of specifying with greater precision the commencement of the eastern boundary of the United States. Several rivers in that portion of the country had borne the name of St. Croix ; from the fact that the early French navigators, actuated by motives of piety, had planted a cross at their mouth when they were first discovered. Hence it was necessary, in specifying the beginning of our eastern boundary, to state that it was in the middle of that St. Croix which had its mouth *in the Bay of Fundy*. Notwithstanding this description, it has been seen, that which was the true St. Croix, became a subject of dispute between the two Governments. Still both parties were prevented from claiming that any river which did not flow into that bay was the St. Croix of the treaty.

The Bay of Fundy has been twice mentioned in the treaty. After starting at the northwest angle of Nova Scotia, and from thence sweeping round the boundaries of the United States to this bay, it was necessary to fix as precisely as possible the point at which our eastern boundary commenced. This was essential for a double purpose. In the first place it was the extreme northern point from which a line was to be run due east twenty leagues into the ocean, according to the treaty ; within which space the United States were entitled to all the islands along their coast, except such as were within the limits of Nova Scotia ; and, in the second place, it was the point from which our eastern line was to commence, and to run to the northwest angle of Nova Scotia.

Had the commissioners omitted to fix this point with as great precision as they could, they would have been guilty of culpable neglect. Having done so, and having mentioned the Bay of Fundy as that part of the ocean in which the St. Croix has its mouth, the British Government have used it, not merely as it was intended, to mark the eastern boundary of the United States, but to render the whole treaty, so far as the northeastern boundary is concerned, absurd, uncertain, and void. Surely the commissioners never could have foreseen any such result. The language of this portion of the treaty is as follows :

“ East by a line to be drawn along the middle of the river St. Croix, from its mouth in the Bay of Fundy to its source, and from its source, directly north to the aforesaid highlands, which divide the rivers that fall into the Atlantic ocean from those which fall into the river St. Lawrence, comprehending all islands within twenty leagues of any part