

of 1783. But it is probable that a better knowledge of the interior of the disputed territory, than existed at the time of the submission of the case to His Majesty the King of the Netherlands, now obtains in the United States. Of this we had indications on our arrival in America, in August, 1839, when some of the American newspapers called loudly upon us to proceed to examine the line of Highlands claimed by them; and this, no doubt, with the view of drawing our attention from those parts of the country west of the St. John which lie along the eastern and western sources of the Penobscot. And the same newspapers at the termination of our labours, exhibited in not very courteous terms, their dissatisfaction with the course we had pursued, misrepresenting all our proceedings, denying that we had visited the line claimed by them, and insisting that if we had done so, we should have been compelled to report in favour of it. We relate these circumstances to your Lordship, to show that the very sanguine and almost universal opinion which obtains in the United States, and which has been so generally expressed there, in favour of the boundary line being to be found so near to the St. Lawrence, has been partly occasioned by the true line of boundary never having been practically examined, and of no report having been made in detail of its true nature; whilst the past surveys and negotiations, as well as the public attention in both countries, have been almost exclusively directed to the line brought forward by the Americans as the boundary intended by the Treaty of 1783. For although Mars' Hill was with great colour of justice proposed by the British Official Agents, as a point in that range of Highlands\*, at which the due north line should stop, in order to form the north-west angle of Nova Scotia, still no line "along the Highlands," had been surveyed or practically examined in a western direction from thence. The argument thus came conjecturally before the King of the Netherlands, and was left still more impotent by the denial, on our side, of any connection between the ancient provincial boundary and the line described in the II<sup>nd</sup> Article of the Treaty of 1783.

Public attention exclusively given to the American claim.

We have to remark, also, as a proof of the mistaken notions entertained in the United States, respecting their supposed Highlands, that if we, in accordance with their wishes, had confined our investigations to the line claimed by them, we should have come at once to the conclusion at which, on making it the last branch of our investigations, we have actually arrived, namely, that that line is deficient in every essential character requisite to make it conformable with the description of the boundary intended by the Treaty of 1783. Believing that they never would have invited us to expose the defects of the line claimed by them, if they had been aware of those defects, we must infer that they themselves, with some few exceptions, are without any practical knowledge of the real character of the line of boundary which they insist upon, some striking proofs of which we propose hereafter to adduce.

The arguments used consequent upon the Survey directed by the Treaty of Ghent, inapplicable to our present information of the country.

Your Lordship will gather, from what we have now stated, that the arguments found in the records of the past surveys and negotiations are, to a great extent, to be considered as inapplicable to the actual knowledge of the country, as ascertained by a careful investigation of it made by persons acquainted with the previous history of this territorial dispute. Notwithstanding the acknowledged ability, the unwearied industry, and integrity of the British Official Agents, whose labours are found in those records, the want of geographical information, and the ground taken by the Americans at the time, unavoidably led them to espouse and maintain many points, which it would be inconsistent in us to give countenance to. Hence, as we before have had the honour to state to your Lordship, we have found ourselves compelled, since our return to England, not only to examine a second time the diplomatic history of this dispute, but also to consult all those ancient documents which have been accessible to us, that are in any manner connected with the very important subject on which we are engaged.

We close these preliminary remarks by stating, that under these circum-

\* On ascending the River St. John from Woodstock, the gradual rise of the country is evident; and several miles before the traveller arrives at the stream called Des Chutes, he perceives that he is about to pass through a range of Highlands.