

THE INTERNATIONAL BOUNDARY COMMISSION

Since the end of the American War of Independence in 1782, the 5,527 mile boundary between Canada and the United States, including Alaska, has been the subject of no less than seventeen agreements, two arbitrations, and other negotiations which were never concluded. The Treaty of Peace ending the American War of Independence in 1783 defined the boundary from the Atlantic Ocean to the Lake of the Woods; the Convention of London in 1818 extended it westerly along the 49th parallel to the summit of the Rocky Mountains, and the Oregon Treaty of 1846 continued it along the 49th parallel and through the channels separating Vancouver Island from the mainland.

The commissions appointed under the provisions of the foregoing treaties and the treaties negotiated to amend them, notably the Jay Treaty in 1794, the Treaty of Ghent in 1814, the Ashburton-Webster Treaty of 1842, the Washington Treaty of 1871 and the convention signed in 1892, surveyed and marked the greater part of the boundary; but the various commissioners found themselves unable to agree upon the location on the ground of a number of long boundary courses as defined in the treaties. Furthermore, through the deterioration and loss of boundary monuments it was found necessary to re-survey and re-mark the boundary along the 45th parallel between New York and Vermont and Quebec in 1902 and 1906, and along the 49th parallel in 1902 and 1903. This was done concurrently by the two governments. As a consequence of this unsatisfactory state of affairs, a treaty was signed in 1908 "for the more complete definition and demarcation of the international boundary between the United States and the Dominion of Canada."

Canada-Alaska Boundary

This treaty, however, contained no provisions relating to the boundary between Canada and Alaska, since a commission had already been appointed to delimit it. The boundary between Canada and Alaska had been defined in the Anglo-Russian Treaty of 1825 and this definition was repeated in the Treaty of 1867, whereby the United States acquired Alaska from Russia. The section along the 141st meridian to the Arctic Ocean, except the location of its southern extremity, was uncontroversial. However, the boundary of southeast Alaska, as set forth in the treaty, proved to be open to several interpretations. Even after a joint exploratory survey had been made of the area adjacent to the boundary, certain questions arose concerning the true meaning of some of the clauses of the treaty. These questions were settled under the provisions of the Convention of 1903 by the award of the Alaska Boundary Tribunal. In 1904 the governments of Great Britain and the United States each designated a representative on a delimiting commission for southeast Alaska and in 1906 a Convention was concluded to define the location of the southern extremity of that portion of the boundary formed by the 141st meridian. Once this had been done, the same two representatives were appointed as commissioners to survey and mark the boundary along the 141st meridian.

Survey of Boundary Authorized

As a consequence of the Treaty of 1908 these commissioners were also appointed to complete the survey and demarcation of the entire Canada-United States boundary, with the exception of the section through the St. Lawrence River and the Great Lakes and their connecting waterways. Under the treaty this section was to be surveyed and marked by the International Waterways Commission, which had been organized in 1905 to investigate and report on the conditions and uses of the waters adjacent to the International Boundary Line.