

American, has tinged that treaty with disgrace for the American negotiator who obtained it, and for the American people who, when the facts were known, adhered to it.

It turned out that while Daniel Webster was professing his own belief and that of the U. S., for a line far north, and taking credit for yielding for the sake of peace, somewhat in his demands—he knew that the U. S. were not entitled to the line for which he pledged their honour and his own—and he knew that he surrendered nothing for peace, but gained, from a facile negotiator, that to which the United States were not entitled. The story of the *red line map* may be known to many here, but I may recall the leading facts.

Several months before the negotiation of the Treaty commenced, Mr. Sparks, the biographer of Washington, while engaged in searching the French archives at Paris for materials for his work, made an important discovery. He found a letter from Benj. Franklin to the Comte de Vergennes, written within a few days after the signature of the original Treaty of 1783 at Paris between England and her revolted Colonies. In this it will be remembered, Franklin was a chief actor. No man knew better than he the precise intentions of the parties. It had been for this reason that, as appears, the Comte de Vergennes, then Prime Minister of France, had written to Franklin, enclosing a map of America, and asked him to mark upon it the boundary line as just settled for the U. S. The letter found by Mr. Sparks was Franklin's reply, returning the map, with the remark that he had marked with a *strong red line* the limits of the U. S. as settled. Mr. Sparks at once saw how important this map would be on the Maine Boundary Question, if it could be found. It was not with the letter. He instituted search further hoping to obtain proof conclusive of the American claim. He found the map at last, but instead of supporting the American claim, as Sparks had hoped, to his horror, it had on it, marked with a *strong red line* a boundary which exactly agreed with the British claim. Sparks hastened, however, to communicate his unpleasant discovery to the authorities at Washington, remarking: "In short, it is exactly the line now contended for by Great Britain, except that it concedes more than is claimed by her. It is evident that the line from the St. Croix to the Canadian highlands is intended to exclude all the waters running into the St. John."

This letter and a copy of the map were communicated to Mr. Webster, who entered upon his negotiations with Lord Ashburton with a full knowledge of Mr. Spark's discovery, while it was kept a profound secret, until after the execution of the treaty, and then for

very shame might have been kept a secret for years, but that necessity brought it out. This was how it had to come into day light from its hiding. After the genial British envoy had yielded nearly all that grasping Maine had demanded, the Senate at Washington hesitated to give its confirmation to the treaty, as the constitution required. The Senate was urged by the dissatisfied men of Maine to regret it. The opposition was very strong, and while Webster supported his treaty with all his force, he found that the weight of numbers ran against him—"more may yet be gained from England," was the argument for rejection. The division approached and Webster saw the Senate's veto of his treaty at hand. No time was to be lost. The Senate must be "whipped into line," as was said, and in secret session, the letter and the map of Franklin were produced, and Webster's argument was this: "You *must* ratify my treaty, for we have got by it more than we were entitled to. Refuse my treaty, and with this map, which will soon be known to England, you will never get a boundary so favourable." The Senators looked at the map upon their table, resumed in silence their seats, the opposition in great part evaporated, and in haste the treaty was confirmed.

As to England, what could she do? She had given to Lord Ashburton the fullest powers, he had used them and signed for her. Repudiation even under the circumstances of his deception seemed dishonour and England ratified. It was a woefully bad bargain, but England never dreamed of discrediting her accredited envoy.

Such in brief is the story of the *red line map* and of the disgraceful success of Daniel Webster. When all that has been said in his defence is read one fails to find that he came from that negotiation with any honour left. The efforts made to relieve him by explanations only serve to indicate the weight of odium which the transaction placed upon him.

[To be continued.]

GENERAL NOTES.

A good deal of conflict of opinion exists upon the question what degree of proof is necessary to establish the defence of insanity on the trial of an indictment for homicide; whether the defendant must make his insanity appear by a preponderance of evidence, or whether it is sufficient that he raise a reasonable doubt of his sanity at the time of committing the homicide. In *State v. Jones*, the Supreme Court of Iowa has lately had this question before it; and the judges were divided in opinion. A majority of the court (Rothrock, C. J., and Seavers, J., dissenting) held that the defence must be made out by a preponderance of evidence; that is to say, the defendant, upon whom the burden of proof rests, must turn the scale by evidence which creates a probability that he was insane.—*Central Law Journal*.