

question of boundary as is here supposed the United States of America would, it is believed, submit to the definite decision of no sovereign. And in the case submitted to His Majesty, the King of the Netherlands, the United States, in forbearing to delegate any such power, were not influenced by any want of respect for that distinguished monarch. They have, on the contrary, given him the most signal proofs of their consideration and confidence. In the present case especially, as any revision or substitution of boundary whatever had been steadily, and in a spirit of unalterable determination, resisted at Ghent and at Washington, they had not anticipated the possibility of there being any occasion for delegating such powers.

Among the questions to which the language of the Treaty of 1783, already quoted, gave rise between the high parties interested is the following, viz. where at a point due north from the source of the River St. Croix are "the highlands which divide the rivers that empty themselves into the River St. Lawrence from those that fall into the Atlantic Ocean?" at which same point on said highlands was also to be found the north-west angle of the long established, well known, and distinctly defined British Province of Nova Scotia.

On the southern border of the River St. Lawrence, and at the average distance from it of less than thirty English miles, there is an elevated range or continuation of broken highlands extending from Cape Rosieres south-westerly to the sources of Connecticut River, forming the southern border of the basin of the St. Lawrence and the *ligne des versants* of the rivers emptying into it. The same highlands form also the *ligne des versants* on the north of the River Ristigouche, emptying itself into the Bay des Chaleurs, the River St. John with its northerly and westerly branches emptying into the Bay of Fundy, the River Penobscot with its north-westerly branches emptying into the Bay of Penobscot, the Rivers Kennebec and Androscoggin, whose united waters empty into the Bay of Sagadahock, and the River Connecticut emptying into the bay usually called Long Island Sound. These bays are all open arms of the sea or Atlantic Ocean; are designated by their names on Mitchell's map; and with the single exception of Sagadahock are all equally well known and usually designated by their appropriate names. This *ligne des versants* constitutes the highlands of the Treaty, as claimed by the United States.

There is another *ligne des versants* which Great Britain claims as the highlands of the treaty. It is the dividing ridge that bounds the southern line of the basin of the River St. John, and divides the streams that flow into the River St. John from those which flow into the Penobscot and St. Croix. No river flows from this dividing ridge into the River St. Lawrence. On the contrary, nearly the whole of the basins of the St. John and Restigouche intervene. The source of the St. Croix also is in this very *ligne des versants*, and less than an English mile distant from the source of a tributary stream of the St. John. This proximity reducing the due north line of the treaty, as it were, to a point, compelled the provincial agents of the British Government to extend the due north line over this dividing ridge into the basin of the St. John, crossing its tributary streams to the distance of about forty miles from the source of the St. Croix, to the vicinity of an isolated hill between the tributary streams of the St. John. Connecting that isolated hill with the *ligne des versants*, as just described, by passing between said tributary streams, they claimed it as constituting the highlands of the treaty.

These two ranges of highlands as thus described, the one contended for by the United States, and the other by Great Britain, His Majesty the arbiter regards as comporting equally well, in all respects, with the language of the treaty. It is not the intention of the undersigned in this