

No. 68.

MR. CRAMPTON TO MR. BUCHANAN.

EXTRACT.

Washington, January 13th, 1848.

But in regard to this portion of the boundary line a preliminary question arises, which turns upon the interpretation of the treaty, rather than upon the result of local observation and survey.

The British government wishes the American to agree on the channel used by Vancouver as the boundary.

The convention of the 15th June, 1846, declares that the line
5 shall be drawn through the middle of the »channel« which separates the continent from Vancouver's Island. And upon this it may be asked what the word »channel« was intended to mean.

Generally speaking, the word, »channel,« when employed in treaties, means a deep and navigable channel. In the present case
10 it is believed that only one channel — that, namely, which was laid down by Vancouver in his chart — has in this part of the gulf been hitherto surveyed and used; and it seems natural to suppose that the negotiators of the Oregon convention, in employing the word »channel«, had that particular channel in view.

15 If this construction be mutually adopted, no preliminary difficulty will exist, and the commissioners will only have to ascertain the course of the line along the middle of that channel, and along the middle of the Straits of Fuca down to the sea.

It is, indeed, on all accounts, to be wished that this arrangement should be agreed upon by the two governments, because
20 otherwise much time might be wasted in surveying the various intricate channels formed by the numerous islets which lie between Vancouver's Island and the mainland, and some difficulty might arise in deciding which of those channels ought to be adopted for
25 the dividing boundary.

The main channel marked in Vancouver's chart is, indeed, somewhat nearer to the continent than to Vancouver's Island, and its adoption would leave on the British side of the line rather more of those small islets with which that part of the gulf is studded,
30 than would remain on the American side. But these islets are of little or no value.

John F. Crampton.

Hon. James Buchanan.