

porting to be an expression of his opinion on the several points submitted to him as Arbitrator, relative to certain portions of the boundary of the United States. In a period of much difficulty, His Majesty has had the goodness, for the purpose of conciliating conflicting claims and pretensions, to devote to the high parties interested, a time that must have been precious to himself and people. It is with extreme regret therefore, that the undersigned, in order to prevent all misconceptions, and to vindicate the rights of his Government, feels himself compelled to call the attention of His Excellency, the Baron Verstolk de Soelen, His Majesty's Minister of Foreign Affairs, again to the subject. But while on the one hand, in adverting to certain views and considerations, which seem in some manner, perhaps, to have escaped observation, the undersigned will deem it necessary to do so with simplicity and frankness, he could not on the other be wanting in the expressions of a most respectful deference for His Majesty, the Arbitrator.

The language of the Treaty, which has given rise to the contestation between the United States and Great Britain, is, "And that all disputes which might arise in future on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared, that the following are and shall be their boundaries, viz.: from the north-west angle of Nova Scotia, viz.: that angle which is formed by a line drawn due north from the source of the St. Croix River to the highlands, along the said highlands which divide those rivers that empty themselves into the River St. Lawrence, from those which fall into the Atlantic Ocean, to the north-westernmost head of Connecticut River; thence down along the middle of that river to the forty-fifth degree of north latitude; from thence, by a line due west on said latitude, until it strikes the river Iroquois or Cataraugus; East, by a line to be drawn along the middle of the river St. Croix from its mouth in the Bay of Fundy to its source; and from its source directly north to the aforesaid highlands which divide the rivers that fall into the Atlantic Ocean from those which fall into the river St. Lawrence."

The manner of carrying this apparently exceedingly definite and lucid description of boundary into effect, by running the line as described, and making the same on the surface of the earth, was the subject, the sole exclusive subject, submitted by the Convention of September, 1827, in pursuance of the Treaty of Ghent, 1814, to an arbitrator. If, on investigation, that arbitrator found the language of the Treaty, in his opinion, inapplicable to, and wholly inconsistent with, the topography of the country, so that the Treaty of 1783, in regard to its description of boundary, could not be executed according to its own express stipulations, no authority whatever was conferred upon him to determine or consider what practicable boundary line should, in such case, be substituted and established. Such a question of boundary, as is here supposed, the United States would, it is believed, submit to the definitive 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 highest and 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 high land, extending from Cape Rosières 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