

reference to the said water courses, as contended for by each party respectively, and which has accordingly been signed by the above-named plenipotentiaries, at the same time with this convention, shall be annexed to the statements of the contracting parties, and be the only maps that shall be considered as evidence, mutually acknowledged by the contracting parties, of the topography of the country.

"It shall, however, be lawful for either party to annex to its respective first statements, for the purpose of general illustration, any of the maps, surveys, or topographical delineations, which were filed with the commissioners under the fifth article of the treaty of Ghent, any engraved map heretofore published, and also a transcript of the above-mentioned map 'A' or of a section thereof, in which transcript each party may lay down the highlands or other features of the country as it shall think fit; the water courses and the boundary lines as claimed by each party remaining as laid down in the said map 'A.'

"But this transcript, as well as all the other maps, surveys, or topographical delineations, other than the map 'A' and Mitchell's map, intended to be thus annexed by either party to the respective statements, shall be communicated to the other party, in the same manner as aforesaid, within nine months after the exchange of the ratifications of this convention, and shall be subject to such objections and observations as the other contracting party may deem it expedient to make thereto, and shall annex to his first statement, either in the margin of such transcript, map or maps, or otherwise."

---

NOTE X.

EXTRACT FROM THE AWARD OF THE KING OF THE NETHERLANDS.

"Considering: That, according to the instances alleged, the term highlands applies not only to a hilly or elevated country, but also to land which, without being hilly, divides waters flowing in different directions; and that thus the character, more or less hilly and elevated, of the country through which are drawn the two lines respectively claimed, at the north and at the south of the river St. John cannot form the basis of a choice between them;"

---

NOTE XI.

The reason of the double delineation of the Ristigouche, on the map of Mitchell, and several others of ancient date, is obvious. A mistake was common to them all by which the Bay of Chaleurs was laid down too far to the north. The main branch or Grande Fourche, of Ristigouche, (Katawam Kedgwick,) has been reached by parties setting out from the banks of the St. Lawrence at Metis, and was known to fall into the Bay of Chaleurs; while the united stream had also been visited by persons crossing the Wagansis of Grand river and descending the southwestern branch. The map-makers could not, in consequence of the error in latitude, make