

*Memorandum on Colonial Office Letter of August 22, 1890.*

THERE are two points in the contention:—

1. The water boundary;
2. The land boundary;

and they turn on the interpretation of Articles III and IV of the Convention between England and Russia of February 1825, and the accuracy of charts.

The Articles are as follows:—

"III. The line of demarcation between the possessions of the High Contracting Parties upon the coast of the continent and the islands of America to the north-west shall be drawn in the manner following:

"Commencing from the southernmost point of the island called Prince of Wales Island, which point lies in the parallel of  $54^{\circ}40'$  north latitude, and between the 131st and the 133rd degrees of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude; from this last-mentioned point the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude (of the same meridian); and, finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far as the Frozen Ocean, shall form the limit between the Russian and British possessions on the Continent of America to the north-west.

"IV. With reference to the line of demarcation laid down in the preceding Article, it is understood:

"1. That the island called Prince of Wales Island shall belong wholly to Russia.

"2. That wherever the summit of the mountains which extend in a direction parallel to the coast, from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude, shall prove to be at the distance of more than 10 marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia, as above mentioned, shall be formed by a line parallel to the windings of the coast, and which shall never exceed the distance of 10 marine leagues therefrom."

1. The water boundary.

"The United States are understood to contend that Portland Inlet is a part of the Portland Channel through which the Convention directs the line to be run; which contention Canada denies, and asserts that the passage along the coast through Pearce Channel to the ocean is part of Portland Canal."\*

Canada is anxious that an agreement should be arrived at as to whether the Convention requires that the direction of the delimiting line shall be the most direct between the southernmost point of Prince of Wales Island and the ocean entrance to Portland Canal, or whether it is required that this line shall anywhere follow a parallel of latitude.

2. The land boundary.

The Convention was negotiated on the basis of Vancouver's Map, which shows a well-defined range of mountains at a short distance from the coast.

No such range in reality exists, but the whole country is mountainous, and it is difficult to say what signification is to be attached to the term "the crest of the mountains" in some places. Moreover, the coast itself is greatly indented with various creeks running some distance inland.

The United States consequently assume that the boundary-line, "which is supposed to follow a mountain range, is an impracticable one to survey, if not a geographical impossibility."†

Canada submits that "there is no evidence to show that the line prescribed by the Treaty of 1825 is impracticable."\*

She cannot, therefore, assent to the assumption that it is, and could not co-operate in a delimitation upon that understanding, though ready to do so otherwise.

\* See Canadian Memorandum in Colonial Office letter. † See Mr. Bayard's note of November 20, 1885.