

scription of that line, owing to its position, requiring two forms of expression.

The possession of Vancouver had been a subject of negotiation between the two Powers for some time; but it is to be observed that no other island east of it had been a subject of controversy or negotiation at all; indeed not one word had been said during the whole negotiation respecting any other island, and it is too plain for debate, having reference to the correspondence and to this article of the treaty, that Vancouver was the sole and only territorial possession to which Great Britain then sought to adhere south of the forty-ninth degree.

The channel, then, mentioned in this article must upon every principle of interpretation be held to be the channel which separates and segregates to Great Britain Vancouver's Island. This channel was at that time well known as the Canal de Haro, a designation perfectly well known to navigators and commercial men, as noted upon the maps and charts of the period. This channel is but a communication between the Gulf of Georgia, lying on the northeast side of Vancouver and leading down south and southwest into the eastern end of the straits of Fuca, which lead out into the ocean.

That I am correct in this is demonstrated by the indubitable fact that in Lord Aberdeen's dispatch to Mr. Pakenham of the 18th of May, 1846, transmitting his proposed treaty, he says that the latter is authorized—

"To propose as a boundary line the forty-ninth parallel to the sea-coast; thence in a southerly direction through the center of King George's sound and the straits of Fuca to the ocean, thus giving to Great Britain the whole of Vancouver's Island and its harbors."

I should add here that the fact of this dispatch containing the particular language here recited having been sent by Lord Aberdeen is proved by the statement contained in the letter of Mr. Campbell, the American commissioner, to General Cass, Secretary of State, dated January 20, 1859, in which the commissioner observes that in his then recent personal interview with Lord Napier, the British minister at Washington, the latter submitted it to his perusal, though he declined to furnish him a copy.

The joint commission carefully explored the several channels in this archipelago and took the soundings. While doing this they acted together and in concert. When, however, they discovered that it was impossible for them to agree, each furnished to his Government a map of the fruits of their operations. The one furnished by our commissioner, Mr. Campbell, is now before us in Executive Document No. 29 of the second session of the Fortieth Congress; a document of the greatest importance, containing the latest expression of opinion by our own Government on this subject, particularly the able and patriotic dispatch of General

Cass to Mr. Dallas, our minister to London, of the 20th October, 1859.

Now, by looking upon this map it will be easily seen that the straits of Haro unite the Gulf of Georgia with the straits of Fuca, through the narrow passage that lies between the little promontory on the east end of Java Island, known as East Point, and Potos Island, which is about five miles directly to the east of East Point. In this narrow passage the water is deeper than at any spot north or east of it, and there it is absorbed into and joins the straits of Haro, which grow deeper and deeper as you pass down southwesterly into the straits of Fuca, the depth in this narrow passage being from one hundred and five to one hundred and fifteen fathoms. The head of Rosario straits, or as anciently known Vancouver's straits or channel, is properly and geographically directly east of this narrow passage; and the fact is an important one for the ascertainment of the true channel called for by the treaty, that at this head of Rosario straits the water is only eighty-eight or ninety fathoms deep, and grows more and more shoal southwardly from that point and very soon dwindles to a depth of only sixty and fifty. This shows that the main channel is that which passes from the Gulf of Georgia through that narrow passage into Haro straits, leaving San Juan to the east of it.

Again, the depth of water in fathoms, according to actual soundings, from the point where the British or Rosario line of channel cuts the forty-ninth degree of latitude, southeasterly along that line to a point directly east of Potos Island, is as follows: 118, 102, 82, 60, 71, 72, 80, 115, 105, 116, 107, 90, 96, 100, 97, 87, 87, 99; which give an average depth along this part of the Rosario line of ninety-three fathoms.

But the depth of water, according to like soundings, from the point where the forty-ninth degree cuts the line of deepest channel in the Gulf of Georgia, (which point is about five miles west from where the Rosario line cuts the parallel of forty-nine degrees,) down to the east and west line, passing from East Point across to Potos Island, is as follows: 187, 168, 148, 133, 112, 100, 106, 94, 87, 116, 99, 108, 108, 108, 129, 115, 105, 116, which gives an average depth to the American line, lying as it does about five miles from the Rosario line, of one hundred and eighteen fathoms, the difference between the depth of this line and the Rosario line being twenty-five fathoms on an average in our favor. This greater depth of the American line, following as it does the bottom of the main channel, proves beyond all rational dispute that the American line, from its northern point down to the center of this narrow channel, is the "middle of the channel" referred to in the treaty.

It is not only deeper than the Rosario channel by twenty-five fathoms, but it is the deepest channel in the whole of the archipelago except

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