

GREENHOW'S HISTORY OREGON & CALIFORNIA,

On line of 49th parallel, as boundary between the French possessions of Western Canada and Louisiana on the South, and the British territories of Hudson's Bay on the north.

"During the progress of the negotiations between the government of the United States and that of Great Britain, respecting the northern boundary of Louisiana, for which the Americans claimed a line running along the 49th parallel of latitude, upon the grounds that *this parallel had been adopted and definitely settled, by commissaries appointed agreeably to the tenth article of the treaty concluded at Utrecht, in 1713, as the dividing line between the French possessions of Western Canada and Louisiana on the south, and the British territories of Hudson's Bay on the north*; and that, this treaty having been specially confirmed in the treaty of 1763, by which Canada and the part of Louisiana east of the Mississippi and Iberville were ceded to Great Britain, the remainder of Louisiana continued, as before, bounded on the north by the 49th parallel."

APPENDIX
OF MANITOSA.

Greenhow's
Hist. Oregon
and California,
p. 281-3.

"This conclusion would be undeniable, if the premises on which it is founded were correct. The tenth article of the treaty of Utrecht does certainly stipulate that commissaries should be appointed by the governments of Great Britain and France respectively, to determine the line of separation between their possessions in the northern part of America above specified; and there is reason to believe that persons were commissioned for that object: *but there is no evidence which can be admitted as establishing the fact that a line running along the 49th parallel of latitude, or any other line, was ever adopted, or even proposed by those commissaries, or by their governments, as the limits of any part of the French possessions on the north, and of the British Hudson's Bay territories on the south.*"

"It is true that, on some maps of Northern America, published in the middle of last century, a line drawn along the 49th parallel does appear as a part of the boundary between the French possessions and the Hudson's Bay territories, as settled according to the treaty of Utrecht: but on other maps which are deservedly held in higher estimation, a different line, following the course of the highlands encircling Hudson's Bay, is presented as the limit of the Hudson's Bay territory, agreeably to the same treaty; and, in other maps again, enjoying equal if not greater consideration, as having been published under the immediate direction of the British Government, no line separating those British possessions from Louisiana or Canada is to be seen. In the other works, political, historical, and geographical, which have been examined with reference to this question, nothing has been found calculated to sustain the belief that any line of separation was ever settled or even proposed; nor has any trace of such an agreement been discovered in the archives of the Department of Foreign Affairs of France, which have been searched with the view of ascertaining the fact.*

The belief, nevertheless, that the 49th parallel of latitude was fixed, by commissaries appointed agreeably to the provisions of the treaty of Utrecht, as the northern limit of Louisiana and Western Canada, has been hitherto universally entertained without suspicion in the United States, and has formed the basis of most important treaties.

During the negotiations above mentioned, between the United States and Great Britain, no attempt was made, on the part of the latter power, to controvert the assertion of the Americans respecting this supposed boundary line; and, in the fifth of the additional and explanatory articles proposed to be annexed to the treaty signed by the plenipotentiaries on that occasion, it was agreed that "a line drawn due north or south (as the case may require) from the most north western point of the Lake of the Woods, until it shall intersect the 49th parallel of north latitude, and from the point of such intersection, due west, along and with the said parallel, shall be the dividing line between his majesty's territories and those of the United States, to the westward of the said lake, as far as their said respective territories extend in that quarter; and that the said line shall, to that extent form the southern boundary of his majesty's said territories and the northern boundary of the said territories of the United States: *Provided*, That nothing in the present article shall be construed to extend to the north-west coast of America, or to the territories belonging to or claimed by either party on the continent of America to the westward of the Stony Mountains." † This article was approved by both governments;

* See the complete investigation of this subject in the Proofs and Illustrations under the letter F.

† President Jefferson's Message to Congress of March 22nd, 1808.