

SAN JUAN AND SECESSION

that the officers of the territory should abstain from all acts on disputed grounds which are calculated to provoke any conflicts, so far as it can be done without implying the concession to the authority of Great Britain of an exclusive right over the premises.

"The title ought to be settled before either party should exclude the other by force, or exercise complete and exclusive sovereign rights within fairly disputed limits. Application will be made to the British government to interpose with the local authorities on the northern borders of our territory to abstain from like acts of exclusive ownership, with the explicit understanding that any forbearance on either side to assert the rights, respectively, shall not be construed into any concession to the adverse party.

"By a conciliatory and moderate course on both sides, it is sincerely hoped that all difficulties will be avoided until an adjustment of the boundary line can be made in a manner mutually satisfactory. The government of the United States will do what it can to have the line established at an early period."

To understand the sound common sense of Governor Marcy's letter, we must remember that after Lord Aberdeen had intimated to Mr. McLane, our minister in London (May 15, 1846), that he would instruct Mr. Pakenham to offer the 49th parallel to salt water (Birch's bay), then deflect so as to allow England all of Vancouver island; that he would probably name the middle of the Canal de Haro for the boundary line, we find (May 16, 1846), that Sir John Pelly, governor of the Hudson Bay company in London, obtained an interview and effected a change in his lordship's mind, and, in the project of the treaty, Lord Aberdeen aimed at Captain Vancouver's red line (on his, Vancouver's, chart of the Gulf of Georgia, used at the time), showing the track of his vessel from Admiralty inlet northward, which he found navigable, west of Whidby island, as the boundary line he desired. Sir John Pelly wanted that finest of the islands, as he called Whidby island, also, but he admitted that he did not see how that could be included. Lord Russell to Lord Lyons, December 16, 1850, well says:

"Had Lord Aberdeen and Sir John Pelly obtained the consent of the United States government to their views in favor of the channel marked as navigable by Vancouver, or had Mr. McLane and Mr. Senator Benton obtained the assent of Lord Aberdeen and Mr. Pakenham to their opinion that Haro's strait was the channel intended by the treaty, such agreement would have been conclusive. But separate interpretations, not communicated to the other party to a treaty, cannot be taken as decisive in a disputed question."

The utmost harmony was re-established between the local governments; the United States had sent out, as the boundary commissioner, Archibald Campbell, Esq., and Great Britain had sent Captain James Prevost as first commissioner and Captain George H. Richards as assistant commissioner and hydrographer, both of R. N., to determine the water boundary. When General Harney visited Puget Sound, Mr. Campbell was located near the 49th parallel, engaged in establishing and marking the international boundary line on land; the English commissioners were engaged in hydrographic surveys. The commissioners had held repeated meetings and presented their claims, but the wording of the treaty did not conform to either claim. The English commissioners admitted that they were too far to the east, but their surveys discovered a channel for deep sea-going vessels just east of San Juan island, which conformed more nearly to the wording of the treaty, and they offered to compromise on that. Mr. Campbell insisted the Canal