

is certain that it was the intention of the treaty to adopt the *mid-channel of the straits* as the line of demarcation, without any reference to islands, the position, and, indeed, the very existence, of which had hardly, at that time, been accurately ascertained; and he has no recollection of any mention having been made during the discussion of the Canal de Haro, or, indeed, any other channel than those described in the treaty itself. 5

I also enclose a memorandum drawn up by Sir Richard Pakenham, the negotiator of the treaty of 1846. x x x

The adoption of the central channel would give to Great Britain the island of San Juan, which is believed to be of little or no value to the United States, while much importance is attached by British colonial authorities, and by Her Majesty's government, to its retention as a dependency of the colony of Vancouver's Island. 10

Her Majesty's government must, therefore, under any circumstances, maintain the right of the British Crown to the island of San Juan. The interests at stake in connection with the retention of that island are too important to admit of compromise, and your lordship will consequently bear in mind that whatever arrangement as to the boundary line is finally arrived at, no settlement of the question will be accepted by Her Majesty's government which does not provide for the island of San Juan being reserved to the British Crown. 15 20

J. Russell.

Lord Lyons, &c., &c., &c.

SIR RICHARD PAKENHAM ON THE WATER BOUNDARY UNDER THE
OREGON TREATY OF 1846.

Sir R. Pakenham
in 1859 denies the
Rosario to be the
channel of the treaty.

I have examined the papers put into my hands, by Mr. Hammond, relating to the line of boundary to be established between the British and the United States possessions on the northwest coast of America, and I have endeavored to call to mind any circumstance which might have occurred at the time when the Oregon treaty was concluded (15th June, 1846) of a nature either to strengthen or invalidate the pretension now put forward by the United States Commissioner, to the effect that the boundary contemplated by the treaty would be a line passing down the middle of the channel called Canal de Haro, and not, as suggested on the part 25 30