

"the middle of the River St. Croix *from its mouth in the Bay of Fundy*, to its source; and from its source directly north, to the aforesaid Highlands, which divide the rivers that fall into the Atlantic Ocean from those which fall into the River St. Lawrence; comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between *Nova Scotia* on the one part, and *East Florida* on the other, shall *respectively touch* the Bay of Fundy and the Atlantic Ocean; excepting such islands as now are, or heretofore have been within the limits of the said Province of *Nova Scotia*."

It will be observed that the phraseology of the Extract from the Secret Journals of the Congress, of the date of 19th of March, 1779, respecting the eastern boundary, has been transferred almost literally, into this IInd Article; with the exception, however, of the River St. Croix being substituted for the River St. John, and with the further exception of a line directed to be drawn *due north* from the source of the St. Croix River to the Highlands which were hereafter to be the northern limits of the United States in this quarter.

But as the word "Highlands" is, in this IInd Article of the Treaty, for the first time used in a manner that sets the language of the Article at variance with the clear and intelligible signification belonging to the Propositions quoted from the Secret Journals of the Congress, it may be useful to examine the process under which it has at length been brought into discussion, in a manner essentially to embarrass the execution of the Treaty. And this we shall do with some hope of being able to restore the term "Highlands" to its legitimate sense.

From the earliest period it had been known to the French and English settlers in that part of North America, that a great axis of elevation, or *height of land*, which had its origin in the English colonies, passed to the north-east, throwing down from one flank at about forty-five degrees north latitude, the head waters of the Connecticut River, which empties itself to the south into that channel of the Atlantic Ocean which separates Long Island from the Continent; and from the other flank, the head waters of the St. Francis River, which empties itself in a north-westerly direction into the River St. Lawrence. Further to the north-east, the head waters of the Kennebec and the most western sources of the Penobscot take their rise in the same height of land. These two rivers discharge themselves into the Atlantic Ocean, whilst the Chaudière River, the sources of which almost interlock with those of the two last-named rivers, empties itself into the Saint Lawrence, nearly opposite to Quebec. Equally close to the sources of the Chaudière and the Penobscot, and in about forty-six degrees of north latitude, the south-west branches of the St. John are derived from the same height of land. This river, after running for about 160 miles in a north-eastwardly course, nearly parallel to the same axis of elevation in which it takes its rise, turns to the south-east, and at the great falls of the St. John in north latitude $47^{\circ} 2' 39''$, passes through the same axis, and proceeds to discharge itself into the Bay of Fundy. It is further of importance to observe, that the trail or path of the Indian nations between the Atlantic Ocean and the River St. Lawrence, lay across that *height of land* from the earliest times; and that Quebec, which is situated on that part of the St. Lawrence where the river suddenly contracts in breadth, and which receives its name from the Indian word *Kebec*, signifying *narrow*, appears to have been a place of resort for the Indians, long before the white men visited the country.

Early notices of the Highlands of the Treaty of 1783.

From Quebec, the Indians were wont to pass up the Chaudière in their bark canoes, carrying them across the Portages, and over the *height of land* to the waters of the Penobscot, and continuing down which to near the forty-fifth degree of north latitude, they then turned up one of its eastern branches, called Passadumkeag; whence, making a small portage of about two miles, they got into the westernmost waters of the St. Croix, and so reached the Bay of Fundy; performing the whole distance of about 275 miles by water, with the exception of perhaps twelve miles of portage, over which, according to the custom still in use by the North American Indians, they carried their light birch-bark canoes.

Meaning of the word "Quebec."

Route by Canoes from Quebec to the St. Croix as performed by the Indians.

The facility of reaching the River St. Lawrence by this route, was well-known to the first settlers, all of whom had for their principal object a trade