

the case submitted to His Majesty, the King of the Netherlands, the United States, in for-
 hearing to delegate any such power, were not influenced by any want of respect for that
 distinguished monarch. They have, on the contrary, given him the highest and most signal
 proofs of their consideration and confidence. In the present case especially, as any revi-
 sion or substitution of boundary whatever, had been steadily, and in a spirit of unaltera-
 ble determination, resisted at Ghent and at Washington, they had not anticipated the pos-
 sibility of there being any occasion for delegating such powers.

Protest of
 the American
 Minister.

Among the questions to which the language of the Treaty of 1783, already quoted, gave
 rise between the High Parties Interested, is the following, viz: where, at a point due north
 from the source of the river St. Croix, are "the highlands which divide the rivers that
 "empty themselves into the river St. Lawrence, from those that fall into the Atlantic
 "ocean;" at which same point on said highlands was also to be found the northwest angle
 of the long established, well known, and distinctly defined, British Province of Nova
 Scotia.

On the southern border of the river St. Lawrence, and at the average distance from it
 of less than thirty English miles, there is an elevated range or continuation of broken
 highland, extending from Cape Rosieres, southwesterly to the sources of Connecticut river,
 forming the southern border of the basin of the St. Lawrence and the *ligne des versants*
 of the rivers emptying into it. The same highlands form also the *ligne des versants*, on
 the north of the river Ristigouche, emptying itself into the bay des Chaleurs, the river St.
 John with its northerly and westerly branches emptying into the bay of Fundy, the river
 Penobscot with its northwesterly branches emptying into the bay of Penobscot, the rivers
 Kennebec and Androscoggin, whose united waters empty into the bay of Sagadahock, and
 the river Connecticut emptying into the bay usually called Long Island Sound. These
 bays are all open arms of the sea or Atlantic ocean; are designated by these names on
 Mitchell's map; and, with the single exception of Sagadahock, are all equally well known,
 and usually designated, by their appropriate names. This *ligne des versants* constitutes
 the highlands of the treaty, as claimed by the United States.

There is another *ligne des versants*, which Great Britain claims as the highlands of the
 Treaty. It is the dividing ridge that bounds the southern side of the basin of the river St.
 John, and divides the streams that flow into the river St. John, from those which flow into
 the Penobscot and St. Croix. No river flows from this dividing ridge into the river St.
 Lawrence. On the contrary, nearly the whole of the basins of the St. John and Ristigouche
 intervene. The source of the St. Croix also is in this very *ligne des versants*, and less
 than an English mile distant from the source of a tributary stream of the St. John. This
 proximity, reducing the due north line of the treaty, as it were, to a point, compelled the
 provincial agents of the British Government to extend the due north line over this dividing
 ridge into the basin of the St. John, crossing its tributary streams to the distance of about forty
 miles from the source of the St. Croix, to the vicinity of an isolated hill between two tribu-
 tary streams of the St. John. Connecting that isolated hill with the *ligne des versants*, as
 just described, by passing between said tributary streams, they claimed it as constituting
 the highlands of the treaty.

These two ranges of highlands, as thus described, the one contended for by the United
 States, and the other by Great Britain, His Majesty, the Arbitrator, regards as comporting
 equally well in all respects, with the language of the treaty. It is not the intention of the
 Undersigned, in this place, to question in the slightest degree the correctness of His Majesty's
 conclusion. But when the Arbitrator proceeds to say, that it would be suitable to run the line
 due north from the source of the river St. Croix, not "to the highlands which divide the rivers
 "that fall into the Atlantic ocean from those which fall into the river St. Lawrence," but to the
 centre of the river St. John, thence to pass up said river to the mouth of the river St. Fran-