

Statement.

district and neighbouring countries. In his account he says, with regard to the difficulty of navigation of these waters, that the Canal de Haro is "le passage le plus facile." He was not a naval officer, and appears to have been employed solely in a civil capacity. Mr. Archibald Campbell, after quoting the passage in which the observation referred to by Mr. Bancroft is made, says:—

"And this opinion he [Duflo de Mofras] must have derived from the general report of those engaged in the navigation of these waters, as his own explorations are considered very superficial."

It is plain that he has no personal authority on a question of navigation.

(vii.) Mr. Bancroft contends (pages 10 and 11), that the Canal de Haro is the only channel which separates the Continent from Vancouver's Island; that there are other passages which divide islands from islands, but none other separates the Continent from Vancouver's Island; and that the Rosario Straits touch neither the Continent nor Vancouver's Island. But Her Majesty's Government submit that, even if the present state of knowledge is to be taken into account, the distinctions here attempted are not tenable, as the map attached to Mr. Bancroft's Memorial shews. The Rosario Straits are, by the evidence of that map, in the respects here mentioned, as much entitled as the Canal de Haro to be regarded as the dividing channel between the Continent and the Island. But the question must be referred back to the time of the Treaty, and then the Rosario Straits will be the dividing channel, as being the ordinary track of vessels passing up and down on the waters lying between the island and the main land.

(viii.) Mr. Bancroft (page 11) founds an argument on the word southerly; but as to this expression, there seems little room for discussion. It is evidently used in a large and loose sense, as contrasted with a line carried westwards to the Pacific, or deflected northwards up the Gulf of Georgia. This is the more evident when it is observed that, on a strict construction, the word is applied to the continuation of the line through the Straits of Fuca, where its direction would in fact be westerly, or even in part north-westerly.

(ix.) Mr. Bancroft further says (page 11):—

"The Treaty contemplates a continuous channel to the Pacific; the channel of Haro and Fuca's Straits form such a continuous channel, and a glance at the map will show that no other channel can pretend to do so."

Mr. Bancroft's map speaks for itself; it is difficult to see on it a higher degree of continuity in the Canal de Haro than in Rosario Straits. In fact, the waters passing southerly through the Rosario Straits are derived from the Gulf of Georgia alone and uninterruptedly, while the Canal de Haro is in the southerly direction supplied only partly and indirectly by the waters from the southern termination of the Gulf of Georgia, and partly and more directly from the waters flowing through the passages between Vancouver's Island and the archipelago off its eastern coast. This is obvious on the map, and is confirmed by observation. The flow of an uninterrupted body of water from the Gulf of Georgia through the Rosario Straits causes a marked regularity of current in that passage; while in the Canal de Haro, on the contrary, the currents are irregular, the waters flowing into it being broken and dispersed by the islands in and near its northern entrance.

(x.) Mr. Bancroft labours the point (page 11) that the name Rosario Straits was not given till of late to the channel through which Vancouver sailed. Her Majesty's Government are not concerned to dispute this. But they have not invented the name of Rosario Straits (as Mr. Bancroft seems to think) for the purposes of the present discussion. Mr. Archibald Campbell gives a history of the names borne at different times by the channel, ending thus:—"It is now [1859] universally called Rosario Straits." It is, in fact, called so over and over again in United States' official documents, and it had been named Rosario Strait on the map of the United States' Coast Survey (by Lieut. Alden, U.S.N.), published in 1854.

(xi.) Lastly, Mr. Bancroft says (page 11):—

"Now the so-called straits of Rosario lead only to a Sound, which Spanish voyagers called the bay of Santa Rosa; they do not connect with Fuca's straits, which cease at the south-eastern promontory of Vancouver island."

Her Majesty's Government submit that it is plain that Fuca's Straits, even in the more modern and restricted sense of that name, extend to the western coast of Whidbey Island. Formerly, they used to be considered, at least by many persons, including Mr. Greenhow, as sweeping round to the north and north-west, through the archipelago which lies between the Canal de Haro and Rosario Straits, and as including in their waters both those passages. On Quimper's map, indeed, the easternmost part of the Straits is marked Seno de Santa Rosa. But that map (the earliest extant) is a very