

to it clogged the proposition with so many conditions, and so limited the powers of the commissioners, and required the concession, on our part, of the all important fact that the St. John's and Restigouche are not Atlantic rivers, that the original plan was at once deprived of all vitality, or power, or use, and in fact the reference would have been merely an agreement to abide by the decision, provided both parties should be satisfied and assent to it.

It is certainly somewhat remarkable that if the assumed fact is true, viz: that the treaty line cannot be laid down or fixed according to the treaty, that so much unwillingness should be exhibited to have an attempt made to ascertain it; or, if Great Britain is so strongly convinced of the justice and strength of her argument and claim, that she should be so reluctant to refer the whole question to disinterested and scientific Europeans, there is an apparent, and I doubt not, a real anxiety to avoid discussion or examination *based upon the treaty*; and I fear that if we once abandon that line in search of a conventional one, we shall never be able to bring them back again to consider the present line, or to recognise the treaty as of any binding efficacy. I fear, too, that the only question in negotiation for a conventional line, will be how large a portion of our territory we must yield up. The suggestion made by our Government to take the river St. John's, from its mouth to its source, as the boundary, was rejected, with a simple expression of wonder that it should have been made; and our Government is told explicitly that "his Majesty's Government cannot consent to embarrass the negotiation respecting the boundary, by mixing up with it a discussion regarding the *navigation* of the St. John's, as an integral part of the question." The intimation seems plain, that no negotiation for an exchange of territory or privileges will be entered into, but the single point will be, how shall the disputed territory be divided between the parties? I fear that if we abandon the treaty language, so clear and so decided in our favor, and so much at variance with their claim, we shall leave a certainty for an uncertainty, and throw doubt, confusion, and embarrassment over our claim and our course of action, and yield to Great Britain the great obstacle we now present to her grasping spirit, the solemn treaty of 1783.

And what security have we that any line can be fixed upon which shall be permanent, or what certainty is there that the new line may not be declared to be "impracticable" whenever it may come in contact with any of the plans or wishes of Great Britain? It would certainly be difficult to present a stronger and clearer case than we now do; and if diplomacy and skill can manufacture doubts and embarrassments in the discussion of the question as now presented, we may well despair of ever fixing a certain and unalterable line of boundary. If I am accused of injustice or severity in these remarks, I would point, in justification, to the remarkable progress of the doubts and assertions in relation to the treaty line of boundary. When the question as to which river was the true St. Croix of the treaty (which was the only question *then* in dispute) was before the commissioners under the treaty of 1791, the British agent founded his principal argument for the westernmost river, upon the ground that a line due north from the source of that river would only include a part of one of the rivers (the St. John's) which have their mouths within New Brunswick. He says "the most accustomed and convenient rule, in cases of this kind, is to leave to each power respectively the sources of those rivers that empty themselves, or whose mouths are within its territory upon the sea coast, if